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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

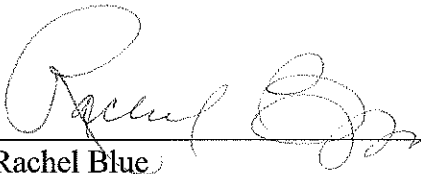
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CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of June, 2011, a true and correct copy of the foregoing OPPOSER'S NOTICE OF FILING TESTIMONY DEPOSITION AND EXHIBITS PURSUANT TO RULES 2.123 AND 2.125 (including the certified signed deposition transcripts referenced above) was sent first class mail, postage prepaid to:

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1 UNITED STATES PATENT & TRADEMARK OFFICE
2 BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD
3

4 JEFF BROWN,
5 Opposer and Petitioner,
6 vs.
7 PATRIOT GUARD RIDERS, INC.,
8 Applicant and Respondent,

COPY

} Opposition.
} No. 91181448

} Serial No.
} 77/040,379

9
10 - - - - -
11
12 VOLUME I OF THE TRIAL

13 DEPOSITION OF JEFF BROWN, produced as a witness
14 on behalf of the Opposer and Petitioner in the
15 above styled and numbered cause, taken on the 6th
16 day of April, 2011, in the City of Tulsa, County
17 of Tulsa, State of Oklahoma, before me, Nichole
18 M. Myers, a Certified Shorthand Reporter, duly
19 certified under and by virtue of the laws of the
20 State of Oklahoma.
21
22
23
24
25

A P P E A R A N C E S

FOR THE OPPOSER
AND PETITIONER:

Ms. Rachel Blue
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1717 South Boulder Avenue
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Tulsa, OK 74119

FOR THE APPLICANT
AND RESPONDENT:

Mr. James A. O'Malley
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Chicago, IL 60601

ALSO PRESENT:

Mr. Bill Richart

I N D E XW I T N E S SP A G E

JEFF BROWN, VOL I

Direct Examination By Ms. Blue

4

Signature Page

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Certificate Page

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1 *(whereupon, the deposition began at*
2 *10:00 a.m.)*

3 JEFF BROWN,

4 after having been duly sworn to testify the
5 truth, the whole truth, and nothing but the
6 truth, testified as follows:

7 DIRECT EXAMINATION

8 BY MS. BLUE:

9 Q Good morning, Jeff.

10 A Good morning.

11 Q We've talked a little bit about what we're
12 doing here today. This is going to be your
13 testimony in the Opposition Proceeding at the
14 Trademark Trial and Appeal Board; so you
15 understand that the court reporter has just sworn
16 you in. You have an obligation to tell the truth
17 this morning and answer questions fully.

18 We're going to do the same rules that we
19 did before -- that if you need a break, let us
20 know. You need to answer a question before you
21 take a break.

22 If you will answer the questions verbally,
23 that will make it a lot easier on our court
24 reporter. She can't report when you shake your
25 head or shrug your shoulders or say uh-huh or

1 huh-uh; so if you can answer completely, that
2 will -- that will help. 10:01AM

3 A Okay.

4 Q Are you feeling good this morning?

5 A Fine. 10:01AM

6 Q Okay. No medications that we need to be
7 aware of?

8 A No.

9 Q Nothing that would impact your ability
10 to -- 10:01AM

11 A No.

12 Q -- get through the deposition?

13 All right. Would you go ahead and state
14 your full name for the record?

15 A Jeffrey Alan Brown. 10:01AM

16 Q Okay. Do you have any other names that
17 you're known by?

18 A Twister.

19 Q Okay. What is your address?

20 A 8321 South Eighth street, Broken Arrow,
21 Oklahoma 74011. 10:01AM

22 Q Okay. How long have you lived there?

23 A Eleven years.

24 Q Okay. Can you give us just a brief summary
25 of your educational background? 10:02AM

1 A Going how far back?

10:02AM

2 Q Go back to high school. Let's start there.

3 A Graduated from Shawnee High School in 1965.

4 Graduated from the -- what was then Central State

5 University. Now what is it? University of

10:02AM

6 Central Oklahoma?

7 Q Uh-huh.

8 A In 1969 with BS in educationally

9 handicapped and graduated from the University of

10 Denver with a master's in educationally

10:02AM

11 handicapped in '72 I believe.

12 Q And what do you do for a living?

13 A I run the Twister's PGR Store and social

14 security.

15 Q Okay. All right. Well, let's talk about

10:03AM

16 this case. That's why we're here today. Let's

17 start with how you got involved with the PGR or

18 what's now known as the PGR.

19 Can you tell us how your involvement with

20 the organization began?

10:03AM

21 A Well, I started it. It was in November --

22 early November of 2005. There was a funeral for

23 KIA in Edmond, Oklahoma. And I saw it on the

24 news, but there was nothing about what -- where

25 it was going to be, what church, what time, just

10:03AM

1 that the Westboro Baptist Church was going to be 10:04AM
2 protesting there. And I searched on the internet
3 and finally had to go to the Westboro Baptist
4 Church website to find the name of the church and
5 the time of the service. And so I went ahead -- 10:04AM
6 I rode to Edmond and on the ride up there I was
7 just -- I can't even think of the word --
8 disgusted that I had to go to their website to
9 find the information. And on the ride up there
10 it dawned on me that with the internet, if we got 10:04AM
11 the word out to veterans groups and motorcycle
12 groups, there would be a lot more people there to
13 help counter the ugliness of the Westboro Baptist
14 Church.

15 When I came home from that funeral I 10:05AM
16 drafted an e-mail and started sending it out to
17 motorcycle groups and veterans groups and just
18 said I'm starting the Patriot Guard Riders.
19 Here's what we're going to do. Here's why I
20 think it's important. If you're -- if you want 10:05AM
21 to join us, please reply. And it literally --
22 within a matter of a couple hours I had people
23 replying to the e-mail saying count me in.
24 Q Okay. You might have said this in your
25 answer, and perhaps I missed, but when -- when 10:05AM

1 did this take place? what year?

10:05AM

2 A 2005.

3 Q Okay. Were you already a motorcycle
4 enthusiast at that point?

5 A Yes.

10:06AM

6 Q And are you a veteran?

7 A Yes.

8 Q In the room with us today is Mr. Richart,
9 and he's been in the room with us before when
10 we've taken these depositions.

10:06AM

11 Was he involved in the original founding of
12 the organization?

13 A No.

14 Q Okay. What's the purpose or what was the
15 purpose of the Patriot Guard Riders when you
16 started the organization?

10:06AM

17 A To show support for those American heroes
18 who have given their life and those who serve our
19 country whether they be veterans or KIAs or
20 whomever.

10:06AM

21 Q To the best of your knowledge has that
22 purpose changed?

23 A I don't think so. I think that's still the
24 main objective for the PGR.

25 Q Now when the PGR was founded did you have a

10:07AM

1 particular position within the organization?

10:07AM

2 A Not when it was founded other than just
3 founding it.

4 Q Okay. Did you at some point attain a
5 particular position within the organization?

10:07AM

6 A When it -- when it literally started taking
7 off and we -- people were e-mailing me saying,
8 yeah, I want to join, I want to join, I realized
9 that I needed to get a structure going. And
10 within just, I don't know, the first, second,
11 third day, right around there, a man by the name
12 of Jason Wallin out of Colorado e-mailed me and
13 said he wanted to join and that he was an IT
14 specialist and he'd build -- build a website for
15 us. And shortly after that we kind of set up a
16 structure, and I was the president. Jason I
17 think at that time was vice-president or
18 secretary. I don't -- I don't remember for sure
19 what his title was.

10:08AM

10:08AM

20 Q Okay. How -- how many members would you
21 say you had in the PGR within the first six
22 months?

10:08AM

23 A I'm going to guess probably about 35,000.

24 Q Okay. And can you tell us a little bit
25 about the growth of the organization?

10:09AM

1 A It went from one to over 70,000 in the
2 first year.

3 Q How did people find out about it?

4 A Through the website, through word of mouth.
5 I continued to send e-mails out for probably --
6 I'm guessing the first 30 days. Anytime I'd find
7 a new group, I'd send an e-mail out.

8 Q Okay. Now how many states do you think
9 those members were in?

10 A All 50 states.

11 Q Okay. Was there any formal organization of
12 the entity at its inception?

13 A Not really. I mean it was growing so fast
14 that it was just whatever we had to do to get --
15 get the job done. Once we started getting --
16 once we -- once we realized how big this was
17 getting, then we started putting the word out
18 that we needed leaders in each state. So anyone
19 that would volunteer basically was -- was given a
20 position as a state captain to help organize the
21 missions for that state and organize the
22 membership and that kind of thing.

23 Q Was there any formal legal organization?

24 A Not at that -- no, not at that point.

25 Q Did that ever occur?

10:11AM

10:11AM

10:12AM

10:12AM

10:13AM

10:13AM

1 A Yes. We at some point down the road we
2 started -- started getting questions from members
3 about liability, and we started getting people
4 that wanted to donate money. And so we decided
5 that it was probably a good time that we form a
6 501(c)(3) nonprofit corporation.

7 Q Well, and I want to ask you about that, but
8 first I want to introduce an Exhibit 1.

9 *(whereupon, a discussion was held off*
10 *the Record.)*

11 Q (Ms. Blue) All right. Jeff, these are --
12 this is a not-for-profit certificate of
13 incorporation. Can you tell me the date on that?
14 It's on the front page.

15 A 21st day of February 2006.

16 Q Okay. Was the organization originally set
17 up as a 501(c)(3), the very first organization of
18 this entity, was it a 501(c)(3)?

19 A The first legal organization?

20 Q Uh-huh.

21 A Yes.

22 Q So did you form the corporation and ask
23 that it be a 501(c)(3) at the inception or was
24 that 501(c)(3) status obtained later?

25 A It -- I don't -- I'm not quite sure how to

1 answer that.

10:13AM

2 Q Let me make it easier on you.

3 A Okay.

4 Q You tell me how the process to incorporate
5 or form the organization was done.

10:13AM

6 A It was all done together. It was set up
7 originally as a 501(c)(3). That was the purpose
8 for incorporating.

9 Q Okay. All right. Were you involved in the
10 process of --

10:13AM

11 A Yes.

12 Q -- the incorporation?

13 Did you request the assistance of an
14 attorney in doing that?

15 A Yes.

10:14AM

16 Q I'm going to hand you another exhibit.
17 Jeff, I've handed you a communication from a law
18 firm called Winters, King and Associates dated
19 March 13th, 2006.

20 Is this the law firm that you utilized to
21 set up the corporation?

10:14AM

22 A Yes.

23 MR. O'MALLEY: Just like to note that as
24 far as I know we've never seen this document
25 before.

10:14AM

1 MS. BLUE: Okay. Noted.

10:14AM

2 MR. O'MALLEY: And I was presume that it
3 was covered in our discovery requests.

4 MS. BLUE: We can go back and look.

5 Q (Ms. Blue) And then this next one. And,
6 Jeff, this is also something from Winters, King
7 and Associates. Appears to be an invoice.

10:15AM

8 who paid that invoice?

9 A I did.

10 Q Did you pay it from personal funds?

10:15AM

11 A Yes.

12 MR. O'MALLEY: Same objection to this
13 one.

14 MS. BLUE: Okay.

15 MR. O'MALLEY: Never seen this before.

10:15AM

16 Q (Ms. Blue) Were you reimbursed for those
17 funds?

18 A No.

19 Q You touched on this a minute ago, but why
20 did you decide to organize the PGR as a
21 501(c)(3)?

10:15AM

22 A There was some concerns by members
23 regarding liability if there was an accident or
24 anything of that nature. And as I said, we were
25 getting requests from the public to make

10:16AM

1 donations, and we just felt like a 501(c)(3) was
2 the way to go.

10:16AM

3 Q Who were the original incorporators of the
4 organization?

5 A I think it was --

10:16AM

6 Q If you recall.

7 A Me, Jason Wallin. And I don't remember
8 whether it was Hugh Knaus or Kurt Mayer. I think
9 it was probably Kurt Mayer.

10 Q Okay. All right. Jeff, who's Jon Tatum?

10:16AM

11 A Jon Tatum was or is I'm assuming still is
12 an accountant.

13 Q Okay. Was he involved in the PGR?

14 A He was -- I hired him as an accountant for
15 the PGR.

10:17AM

16 Q Okay. So he audited the PGR's books and
17 performed any other accounting functions --

18 A Right.

19 Q -- that you needed to have performed?

20 A Right.

10:17AM

21 Q This was previously introduced as
22 Exhibit 22. This is from Bonnie's deposition.
23 If you would, take a look at this e-mail
24 communication. This is an exchange between Ed
25 Mueller and Jon Tatum. And this was produced as

10:17AM

1 part of PGR's document production to us.

10:17AM

2 If you would look at the e-mail -- let's
3 start with Ed's e-mail to Jon, which is kind of
4 at the bottom of the page. It's the beginning of
5 the chain. Ed appears to be asking Jon about how
6 the store was run and whether there was any
7 impact on the Patriot Guard Riders 501(c)(3)
8 status if you were running a store.

10:18AM

9 Can you explain to us what he's talking
10 about here?

10:18AM

11 A What Ed is talking about?

12 Q What Ed is talking about.

13 A Well, if I'm -- my interpretation of what
14 he's asking is is there a liability to the PGR
15 regarding IRS rules and regulations and
16 tax-exempt entity in the fact that I own and run
17 the store.

10:19AM

18 Q Okay. Why would he be concerned about
19 whether you owned or ran the store?

20 A Because Ed Mueller hated my guts, and Ed
21 Mueller wanted to discredit me. He also wanted
22 to take over the store for a friend of his that
23 owned a company called CDM in Chicago.

10:19AM

24 Q All right. Now you said a minute ago that
25 you thought Ed was concerned about the tax-exempt

10:19AM

1 status and what impact that store might have on
2 it. Look at the top of the page at Jon's answer
3 to him.

10:19AM

4 What's your interpretation of that response
5 from Jon Tatum?

10:20AM

6 A Well, Jon is telling him that my store has
7 nothing to do with the PGR or the nonprofit
8 corporation and that it's not an issue.

9 Q Did you ever receive any kind of opinion
10 that your ownership of the store would jeopardize
11 the PGR's tax-exempt status?

10:20AM

12 A No.

13 Q Jon appears to be giving in fact just the
14 opposite opinion, that it had no impact on that
15 tax-exempt status?

10:20AM

16 A Correct.

17 MR. O'MALLEY: Rachel, before we move
18 on, can we mark that as Exhibit 4?

19 MS. BLUE: Just to keep things easier?

20 MR. O'MALLEY: Just to keep things
21 easier rather than --

10:20AM

22 MS. BLUE: Sure. That's fine. I think
23 we have maybe one or two others like that in the
24 stack here because we've introduced them in other
25 depositions.

10:21AM

1 MR. O'MALLEY: That's fine.

10:21AM

2 Q (Ms. Blue) Now there's one other thing
3 that I want to ask you about in this. There's a
4 reference here -- it's down in the bottom in the
5 portion Ed is writing regarding an LLC.

10:21AM

6 What is -- what is that referring to, PGR
7 Store, LLC?

8 A That is the -- I'm assuming referring to my
9 store.

10 Q Okay. Who are the managers or owners of
11 that LLC?

10:21AM

12 A The store is owned by my wife, Bonnie
13 Brown.

14 Q And is Bonnie the manager of that LLC in
15 the way that it's set up --

10:21AM

16 A Yes.

17 Q -- as a legal entity?

18 When was that LLC organized?

19 A I'm going to guess sometime in 2007. I
20 don't remember for sure.

10:22AM

21 Q Okay.

22 A There was a lot of emphasis put on the fact
23 that my wife owned the store like there was
24 something shady about that and that I was trying
25 to hide something. And there's nothing --

10:22AM

1 MR. O'MALLEY: Object to -- that's
2 nonresponsive to your question.

3 Q (Ms. Blue) why do you think there was
4 emphasis put on your wife's ownership of the
5 store?

6 A well, once again --

7 MR. O'MALLEY: Still objection. He
8 brought that out in his response; so it's
9 nonresponsive to your original question.

10 Q (Ms. Blue) well, I'm going to ask the next
11 question, which is why -- why was there emphasis
12 put on your wife's ownership of the store?

13 A Once again, there were a handful of people
14 in the PGR that wanted to get me out. And this
15 was a way that they could cast some shadow on
16 what was going on, well, look what he did? He
17 put the store in his wife's name. well, I put
18 our home in my wife's name. I put virtually
19 everything in my wife's name. And there were tax
20 reasons, plus the fact that I'm 63 years old.
21 I'm going to die before she does. There was
22 nothing nefarious about it?

23 Q Okay. was the 501(c)(3) in existence when
24 you set up the LLC for the store?

25 A I don't believe so.

1 Q okay. well, now we looked a minute ago at
2 the incorporation papers, and it looks like that
3 501(c)(3) was organized in '06. And you think
4 the LLC was organized --

10:23AM

5 A Did I say seven?

10:24AM

6 Q Yeah.

7 A No, I'm sorry, I meant 6. 2006.

8 Q I just wanted to make sure we were clear on
9 that.

10 We were still an officer of the PGR when
11 the 501(c)(3) papers were filed?

10:24AM

12 A Yes.

13 Q Did you ever receive any kind of salary
14 from the PGR either before or after there was
15 some formal structure to that organization?

10:24AM

16 A No.

17 Q Did you ever consider yourself to be an
18 employee?

19 A No.

20 Q Have you ever expended any personal funds
21 for the PGR? You talked a minute ago about the
22 attorney's bill, but did you expend any other
23 personal funds --

10:24AM

24 A Yes.

25 Q -- on behalf of the PGR?

10:24AM

1 A Yes.

10:24AM

2 Q Tell me about that.

3 A Everything from reimbursing leaders for
4 travel and the -- we had an event in Sturgis
5 called the Healing Fields and that was 20-some
6 odd thousand dollars. There were calendars in
7 Indiana that was I want to say 6,000 -- 4,000,
8 6,000. There were flags that I purchased from a
9 fire department in Colorado. And to be honest, I
10 don't recall how many thousands of dollars that
11 was. All totaled there was -- if I'm not
12 mistaken, it came out to about \$72,000 of my
13 money that I --

10:25AM

10:25AM

14 Q In a single year or over a period of time?

15 A In one year.

10:25AM

16 Q Okay. Were you reimbursed for those
17 funds --

18 A No.

19 Q -- from the PGR in any way?

20 A No.

10:26AM

21 Q Have you ever made any donations to the PGR
22 aside from these funds that you expended to pay
23 for things?

24 A To -- to different like Help on the
25 Homefront, different soldiers that needed help.

10:26AM

1 Yeah, I mean I -- I have.

10:26AM

2 Q Okay. Has PGR ever rejected any donation
3 from you?

4 A I was told after I resigned -- and I
5 believe it was by Ronny Awtry -- that he had been
6 instructed to tell me that unless I was willing
7 to donate to the PGR general fund without
8 earmarking donations where they were to go that
9 they would not take any more donations from me.

10:26AM

10 Q Are other members given those same kind of
11 restrictions on their donation or do you know?

10:27AM

12 A I have no idea. I can't imagine they
13 would.

14 Q You ever heard of anybody who's been --

15 A No.

10:27AM

16 Q -- required to donate to the general fund
17 instead of a specific cause?

18 A No.

19 Q While you were involved with the PGR as an
20 officer did you allow people to restrict or
21 earmark donations?

10:27AM

22 A No.

23 Q Did anybody ever ask you to do it?

24 A No.

25 Q So you never told anybody they couldn't do

10:27AM

1 it that way?

10:27AM

2 A No.

3 Q You just weren't ever asked?

4 A Are you asking me if -- maybe I'm getting
5 confused. Are you asking me if I was ever asked
6 to restrict someone from donating?

10:27AM

7 Q No. What I'm asking is did anybody ever
8 come to you when you were President of the PGR
9 and say, I would like to donate funds, but I want
10 them to go specifically to Help On The Homefront.

10:28AM

11 A Oh, yeah. Yeah.

12 Q And did you allow them to do that?

13 A Of course.

14 Q So you never told anybody you can't earmark
15 a donation?

10:28AM

16 A No.

17 Q Okay. All right. Let's -- let's turn away
18 from the formal entity structure for a second and
19 tell me if you -- if you know, how the PGR works?
20 Are there state chapters? Are there individual
21 entities within the PGR Inc. Tell me how the
22 whole organization works.

10:28AM

23 MR. O'MALLEY: I'm going to object.

24 What time frame are you asking?

25 Q (Ms. Blue) All right. Let's begin when

10:28AM

1 you were president.

10:28AM

2 A No, there were no individual chapters. It
3 was just one national membership. I don't know
4 how it's set up now.

5 Q Are you still involved with the PGR?

10:29AM

6 A As a member, yes.

7 Q Do you belong to any specific membership?

8 Do you go on -- actually let me stop there.

9 Do you belong to any specific group within
10 the PGR?

10:29AM

11 A Well, Oklahoma has formed a 501(c)(3), and
12 I guess you could say I belong to the Patriot
13 Guard Riders of Oklahoma. But it's -- it's not a
14 chapter to my knowledge; so I'm not quite sure
15 whether that would make me a member of the PGR of
16 Oklahoma or -- or not.

10:29AM

17 Q Do other states have similar 501(c)(3)
18 organizations or do you know?

19 A It's my understanding that some states have
20 established their own 501(c)(3), but I couldn't
21 tell you which ones.

10:30AM

22 Q When you started the PGR was that how you
23 wanted to have it organized where states could
24 individually --

25 A No. I answered before you finished your

10:30AM

1 question.

10:30AM

2 Q That's okay.

3 A I'm assuming you were going to ask are
4 there individual 501(c)(3)s.

5 Q (Ms. Blue) Yes.

10:30AM

6 A No.

7 Q A little telepathy going on today.

8 A well, she could have said lunch.

9 Q As a member of the PGR, whether of Oklahoma
10 or a national organization right now, how do you
11 communicate with other members?

10:31AM

12 A The main communication is via -- as far as
13 me personally -- is via the Patriot Guard Riders
14 of Oklahoma website. But then there's also
15 e-mail and telephone and face to face.

10:31AM

16 Q Is there a Patriot Guard Riders website
17 other than the specific Oklahoma one?

18 A There's Patriot Guard Riders national
19 website and then several -- I would say the
20 majority of states probably have their own
21 websites as well.

10:31AM

22 Q Do you participate in the national website?

23 A No.

24 Q Why not?

25 A I was -- my access was removed.

10:31AM

1 Q why was it removed?

10:31AM

2 A You'd have to ask Mr. Richart that
3 question.

4 Q Was your membership ever revoked?

5 A Yes. As I understand it.

10:32AM

6 Q Is your membership in the national
7 organization revoked?

8 A Yes. According to -- I don't know what his
9 real name is -- Sneaky Snake. He informed me
10 that I was not a member of the Patriot Guard
11 Riders National.

10:32AM

12 Q When did he inform you of that?

13 A There was going to be a multi state
14 rally -- I want to say it was in Alabama,
15 somewhere down south. And I think it was in
16 2009, 2008 or nine. May have been '10. I don't
17 remember. And I had been invited by I believe he
18 was a ride captain from somewhere within that
19 area to attend. And I e-mailed him back and
20 said, great, I'd love to. I appreciate the
21 offer.

10:32AM

10:33AM

22 And then I got an e-mail from Sneaky Snake,
23 who as I understand it, was regional captain for
24 that area advising me that the rally was strictly
25 for Patriot Guard Riders members and that I was

10:33AM

1 not considered a member, and he would appreciate
2 it if I would not come.

10:33AM

3 Q Was this the first time you were ever told
4 that you were no longer a member of the PGR?

5 A I think it was understood that I was not
6 considered a member when my access to the website
7 was revoked.

10:33AM

8 Q Understood by whom?

9 A By the leadership. Now whether I was
10 actually told that or not, I don't know. I can't
11 remember.

10:34AM

12 Q Has anyone within the Oklahoma part of the
13 organization ever told you you're not a member?

14 A Absolutely not.

15 Q Have you ever been asked to refrain from
16 attending --

10:34AM

17 A Never.

18 Q -- a rider funeral?

19 A Never.

20 Q Was the request from Sneaky Snake that you
21 not attend the only time you've ever received a
22 request from anybody not to attend an event?

10:34AM

23 A To my knowledge.

24 Q Okay. Have you ever showed up at any other
25 events outside Oklahoma?

10:34AM

1 A Yes.

10:34AM

2 Q Anybody ever said you're not welcome?

3 A Yes.

4 Q And did they give any reason for that?

5 A No. In fact, I was invited by Texas
6 leadership to attend a Gathering of The Guard
7 down there two or three years ago, which I did,
8 and was welcomed by the vast majority of the
9 members there. And then the state captain, David
10 David, pulled me aside and said that there was a
11 group from, I believe, Houston that objected to
12 my being there. And I said, you know, I don't
13 want to cause a problem. I'd be happy to leave.
14 And he said absolutely not.

10:34AM

10:35AM

15 And, in fact, they honored me with a Texas
16 coin and belt buckle. But it caused some
17 friction and David David was removed as state
18 captain subsequent to that.

10:35AM

19 Q Would you say then that there is some
20 inconsistency within the membership as to whether
21 you have member status or not?

10:35AM

22 A Yeah.

23 Q Do you still go on rides or missions today?

24 A Yes.

25 Q What other involvement do you have with the

10:36AM

1 PGR members here in Oklahoma?

10:36AM

2 A Just personal contact. I'm friends with
3 the majority of the members. I go to every
4 mission that I possibly can.

5 Q Okay. Do you -- do you have regular
6 meetings?

10:36AM

7 A No.

8 Q Do you make any policy decisions together
9 or --

10 A No.

10:36AM

11 Q Okay. Are there any to be made?

12 A Oh, yeah, I'm sure there are. But I -- I
13 don't hold a leadership position in the Oklahoma
14 Patriot Guard Riders if that's what you're
15 asking.

10:37AM

16 Q Okay. All right. Let's kind of go back to
17 the early days of the PGR. And I think you've
18 already testified that you were president of the
19 organization at one point. Tell me how that came
20 about.

10:37AM

21 A Somebody had to be.

22 Q Okay.

23 MR. O'MALLEY: Can I object? Again,
24 time frame. Is this pre-incorporation or
25 post-incorporation?

10:37AM

1 MS. BLUE: This is early days of the PGR 10:37AM
2 when it was founded; so it's pre-incorporation.

3 Q (Ms. Blue) What were your duties in that
4 capacity?

5 A In the early days of the PGR it was more 10:37AM
6 like the old expression of trying to herd cats.
7 We literally were doing things as they needed to
8 be done and addressing issues as they came to the
9 forefront so it was -- there weren't any
10 assigned -- with very few exceptions, for 10:38AM
11 instance, the technical, website, that kind of
12 thing, I knew nothing about so that was Jason
13 Wallin's bailiwick and his responsibility to keep
14 the website up and running and that stuff. But
15 in the early days it was if something needed to 10:38AM
16 be done, you just did it so there weren't any
17 assigned responsibilities.

18 I spent most of my time trying to organize
19 and come up with an organizational plan for this
20 group that was just growing like an atomic 10:38AM
21 mushroom and trying to find people to volunteer
22 to take over certain tasks and become state
23 captains and that kind of thing. Organizational
24 mainly.

25 Q Okay. I take it you're not still president 10:39AM

1 of the PGR?

10:39AM

2 A No.

3 Q When did you resign? Or let me rephrase
4 that. Why are you not still president?

5 A There are probably a lot of reasons.

10:39AM

6 The -- I want to say in 2006 things weren't
7 adding up financially. And Jason Wallin, who at
8 that time was treasurer, he was in charge of the
9 financial dealings for the PGR. He lived in
10 Colorado, and I couldn't get any financial
11 reports from him. I was getting phone calls from
12 people that -- organizations that we owed money
13 to, and they weren't being paid. And Jason
14 wasn't returning calls or e-mails. He wasn't
15 attending telephonic board meetings or com calls;
16 so I knew something was screwy. And that's when
17 I told the Board I wanted to hire an outside
18 accountant, Jon Tatum, to audit the books and
19 find out what was going on.

10:40AM

10:40AM

20 Long story short, Jason figured out that he
21 was about to get caught in some things he
22 shouldn't have been doing. And he and Ed
23 Mueller, who wanted the PGR store, and Bonnie
24 Cutler called a -- or I guess Jason called an
25 emergency Board meeting while I was out of town

10:41AM

10:41AM

1 and called for my resignation. And when I got
2 back home I talked to Ronny Awtry and Snap, who
3 were the only two at that time I trusted in
4 leadership positions, and just said, you know, if
5 I don't have the confidence of the Board, then,
6 Snap, if you'll take over, I'll resign. So it
7 was a resignation by force if you will.

8 Q Is Snap -- who is Snap?

9 A Snap is Bill Lines.

10 Q Okay. Is he still alive?

11 A No, Snap passed away.

12 Q And is Bonnie Cutler also known as Bonnie
13 Perry?

14 A I believe so.

15 Q Okay. When you talk about Jason Wallin and
16 something being fishy about the funds, where did
17 the funds of the PGR come from at that point in
18 time?

19 A There were donations. There were some
20 fundraising projects that Jason had -- he had
21 initiated some of them. There was the Gathering
22 of The Guard that we had in Claremore. But, for
23 instance, the Healing Fields Project in Sturgis
24 in August of 2006 -- is that right? 2006? 2007?

25 Q I think it's '06, but --

1 A When did we start? '05?

10:43AM

2 Q Uh-huh.

3 A Yeah, so it would have been '06. There
4 were -- one of the fundraisers for that was we
5 set up a huge field at the Buffalo Chip's
6 campground of flags. And each flag had the name
7 of a soldier that was killed in action since the
8 war -- since the bombing of 9-11. And these
9 flags could be sponsored by individuals for \$25.

10:43AM

10 Now Jason approached me about this project and
11 said he had everything all worked out and wanted
12 approval for it. And I said, okay, let's go for
13 it. Out of that \$25 we were to pay Healing
14 Fields \$15 and \$10 was to go to us.

10:44AM

15 Additionally, we had Patriot Guard Riders
16 T-shirts made for that particular event with
17 Sturgis and Mount Rushmore and all that on it.
18 And the proceeds from that were to go into the
19 general fund. And I think those were the only --
20 there was supposed to be a bunch more that never
21 materialized. But I think those were the only
22 two sources of revenue for the PGR at that event.

10:44AM

10:44AM

23 At the Gathering Of The Guard we had the
24 registration fees, and we had T-shirts for the
25 Gathering Of The Guard. And the profits from

10:45AM

1 those were supposed to go into the general fund
2 as well.

10:45AM

3 Q Were you at that point in time in 2006 --
4 2005 through 2006, were you selling merchandise
5 under the Patriot Guard Riders with Patriot Guard
6 Riders on it anywhere?

10:45AM

7 A Yes.

8 Q And when you sold that merchandise what
9 happened to the money?

10 A It went into my bank account. And from
11 there any expenditures that PGR couldn't cover
12 out of the -- the organizational checkbook I
13 covered.

10:45AM

14 Q So those funds came out of your personal --

15 A Yes.

10:46AM

16 Q -- checkbook? In other words, they were
17 donations?

18 A Yes.

19 Q Now after this conference call when you
20 resigned in favor of Snap's leadership what
21 arrangements were made for you to continue
22 selling merchandise?

10:46AM

23 A None.

24 Q Did you continue to sell merchandise?

25 A Yes, absolutely.

10:46AM

1 Q Anybody tell you you had to stop?

10:46AM

2 A No.

3 Q Has anybody from the Patriot Guard Riders
4 organization ever told you you had to stop
5 selling merchandise?

10:46AM

6 A No.

7 Q Were there conditions of any sort placed on
8 your resignation?

9 A Regarding my selling merchandise?

10 Q Regarding anything.

10:47AM

11 A Not that I can recall. Now let me back up
12 just a minute. I placed some conditions if you
13 will. And the main condition was that I would
14 resign only if Snap would agree to take over as
15 president.

10:47AM

16 Q Why did you put that condition on your
17 resignation?

18 A Because I felt very strongly that Snap was
19 a very honorable man and that Snap would do his
20 best to continue the PGR in the direction that --
21 that I felt like it ought to be going.

10:47AM

22 Q When -- did Snap take on that leadership
23 mantle?

24 A Yes.

25 Q When he did that did he ask you to sell any

10:48AM

1 of your inventory to the PGR?

10:48AM

2 A Not that I recall.

3 Q Did he ask you to destroy any of it?

4 A Not that I recall.

5 Q Are you aware of any kind of criteria that

10:48AM

6 the PGR, Inc. applies to the use of the term

7 Patriot Guard Riders in any form?

8 A I'm not -- I'm not quite sure I understand

9 what you're asking, Rachel.

10 Q Do you know whether the national

10:48AM

11 organization places any restriction on any of its

12 members or --

13 A I have no idea.

14 Q -- or internal organizations?

15 A No, I have no idea.

10:48AM

16 Q Okay. Is there anybody else in your

17 household that's a PGR member?

18 A My wife. Or she was. I don't know whether

19 she still is or not.

20 Q Does she communicate with the PGR on its

10:49AM

21 national website?

22 A No.

23 Q Why not?

24 A Her access has been restricted as well.

25 Q When you say restricted?

10:49AM

1 A Shut off. She cannot go on -- cannot log
2 on to the website.

10:49AM

3 Q Now let's talk about that for a second.
4 When you say you can't log on to the
5 website, who can log on to the website? Do you
6 have to have -- do you have to sign up?

10:49AM

7 A Yeah, you have to -- or I'm assuming it's
8 that way still. You have to join by creating a
9 name and a password and you have to log on.

10 Q Can you look at the forms without doing
11 that?

10:49AM

12 A I think you can look at some stuff. I'm
13 not sure. I know you can go to the home page.
14 I'm not sure where you can go from there. When
15 my access was revoked I was asked not to try and
16 log on under any other name or anything of that
17 nature and so I have honored that request.

10:50AM

18 Q Who asked you not to do that?

19 A I don't remember. I think it was probably
20 Ed Mueller. I'm not sure.

10:50AM

21 Q And how did he communicate that request to
22 you?

23 A It would have been via e-mail.

24 MS. BLUE: Jim, do you know if that
25 e-mail's been produced?

10:50AM

1 MR. O'MALLEY: I don't know. I don't
2 know whether it's been produced on your side as
3 well.

10:50AM

4 Q (Ms. Blue) Jeff, does that e-mail ring any
5 bells to you? This looks like one you forwarded
6 to me.

10:51AM

7 A Uh-huh. Yes.

8 Q Do you know -- it looks like you forwarded
9 it to me in May of 2010. Do you know where you
10 found it or where it came from?

10:51AM

11 MR. O'MALLEY: I'm going to object
12 again. I don't think we've seen this document
13 before.

14 A It was an e-mail that I sent to the
15 Executive Board of the PGR. Prior to this e-mail
16 periodically my web access would be blocked and
17 Neal Heupel was if I'm not mistaken one of the
18 moderators or website administrators or
19 something. But I would contact Neal via e-mail
20 and say, hey, Neal, I can't get on the website
21 again. He'd go on and say, oh, well, your
22 password has been changed. I'll change it back.

10:51AM

10:52AM

23 So this had happened periodically. And
24 this e-mail was in response to an e-mail, or it
25 may have been a phone call, when I couldn't get

10:52AM

1 on and Neal told me that the Board had -- it
2 wasn't an individual. It was the Board had
3 revoked my log in.

10:52AM

4 Q When you say your password had been changed
5 what do you mean?

10:53AM

6 A Well, you have to have a login name or a
7 login and a password. And periodically my
8 understanding from Snap was that it was Ed
9 Mueller would go in because he had --

10 MR. O'MALLEY: Objection. Hearsay.

10:53AM

11 A -- he had access and knew how to do that.
12 He would go in and change my password so that I
13 couldn't get on.

14 Q (Ms. Blue) Do you know what he changed it
15 to?

10:53AM

16 A Well, once he changed it to "I am a thief."
17 And he changed my wife's to "I am a thief too."

18 Q Okay. When you were the president of the
19 organization who handled the day-to-day business
20 for the -- for the PGR?

10:53AM

21 A Well, early on I did. And as we grew and
22 we got more state captains and got some more
23 people to volunteer at the national level we had,
24 you know, other people that did other things.

25 Q Did you have any input into those other

10:54AM

1 things that people --

10:54AM

2 A Of course.

3 Q -- would do?

4 A Yes.

5 Q Did you direct them?

10:54AM

6 A Most of the time.

7 Q Okay. Would you say you were familiar with
8 the policies and procedures of the PGR in 2005
9 and 2006 --

10 A Yes.

10:54AM

11 Q -- until you were asked to resign?

12 A Uh-huh.

13 Q Did you direct those policies and
14 procedures?

15 A Sometimes. You know, it would depend on
16 what the -- what the task was and who we had that
17 was working on it.

10:54AM

18 Q Were you aware of all the policies and
19 procedures?

20 A I would think I would have been aware of
21 the vast majority of them.

10:54AM

22 Q And was the -- I'm sorry, go ahead. I
23 didn't mean to interrupt you.

24 A No.

25 Q Was the organization being conducted in a

10:55AM

1 way that you had intended?

10:55AM

2 A Yes. For the most part. We had hiccups,
3 but --

4 Q Okay. Jeff, I've just given you Exhibit 6,
5 which is an e-mail exchange between you and John
6 Jacobs.

10:56AM

7 Who's John Jacobs?

8 A John Jacobs is or was -- I don't know
9 whether he still is -- a PGR member in
10 Pennsylvania if I'm not mistaken that -- that
11 helped me set up the trademark --

10:56AM

12 Q Okay.

13 A -- stuff.

14 Q Looks like you are forwarding an e-mail
15 from Snap to John.

10:56AM

16 A Well, I think it's -- I think that's
17 probably a post -- well, I don't know.

18 Q Okay. Well, in any event, let's call it a
19 communication from Snap to the PGR that you're
20 forwarding. Is that accurate?

10:57AM

21 A Yes.

22 Q Now it looks like -- if you'll go down to
23 number 2, item number 2 in Snap's communication,
24 would you read that to me.

25 A Jeff Brown has no affiliation with the PGR

10:57AM

1 except as a member. He is being removed as
2 President of the Corporation. He will no longer
3 be our registered agent in Oklahoma. That place
4 will be filled by a law firm.

10:57AM

5 Q Was that your agreement when you stepped
6 down from the presidency of the PGR?

10:57AM

7 A That wasn't even discussed when I stepped
8 down.

9 Q Okay. Is that categorization as being
10 removed -- is it accurate? Was it a removal or a
11 resignation?

10:58AM

12 A It was a combination of both. It was a
13 forced resignation if you will.

14 Q Did you --

15 A I could have contested it. I could have
16 fought it. But very honestly, at that point in
17 time, I was just absolutely exhausted anyway and
18 my feelings were that, one, if I didn't have the
19 confidence of the Board -- you can't lead if no
20 one's going to follow you. The other big problem
21 was Jason Wallin. Jason knew the hammer was
22 getting ready to come down on him for --

10:58AM

23 MR. O'MALLEY: Objection. Nonresponsive
24 to your question.

25 Q (Ms. Blue) All right. Let me ask you

10:58AM

10:59AM

1 another question, Jeff. Why did you feel that
2 you had to resign?

10:59AM

3 A Well, for the reasons I just mentioned.
4 And the fact that Jason Wallin had the only
5 access to the servers and the website. Jason
6 Wallin wanted me out. He wanted me gone.

10:59AM

7 Q Why?

8 A Because he knew I had hired Jon Tatum to
9 audit the books. And as it turned out, Jason
10 Wallin was stealing money. Jason Wallin could
11 have pulled a switch on the server at any time
12 and the PGR would have, poof, disappeared.

10:59AM

13 MR. O'MALLEY: Objection. Speculation.

14 Q (Ms. Blue) If Jason Wallin had pulled the
15 plug on the server, what would have happened?
16 Could you get on the PGR?

11:00AM

17 A No.

18 Q If there was no server --

19 A No.

20 Q -- would the members be able to
21 communicate --

11:00AM

22 A No.

23 Q -- if there were no server?

24 A Not -- they could have e-mailed, but there
25 would have been no PGR website with the missions

11:00AM

1 and all of the updated information. There would
2 have been nothing coming from the PGR other than
3 e-mails if they wanted to send out an e-mail.
4 But it would have literally crippled and
5 eradicated the PGR.

11:00AM

11:00AM

6 Q So one of your reasons then, if I
7 understand you correctly, one of your reasons for
8 resigning at that point was so that Mr. Wallin
9 would not pull the plug on the server I think is
10 how you put it?

11:01AM

11 A Absolutely. And to preserve what I had
12 started. Now if that meant that I was gone from
13 a leadership position, fine.

14 Q Okay. Was it your understanding though
15 when you resigned that you were still going to be
16 considered a member?

11:01AM

17 A Yes.

18 Q And that appears to be what Snap's
19 communication --

20 A Yes.

11:01AM

21 Q -- says as well, that you're a member of
22 the PGR.

23 A Yes.

24 Q Okay. Do you remember at what point in
25 time you were suddenly considered not a member?

11:01AM

1 A I -- it may have been in response to this 11:02AM
2 e-mail that I sent the Board, or this previous
3 one, but I remember getting an e-mail from Bill
4 Richart. And I can't tell you when it was, but
5 it was sometime -- well, it would have been after 11:02AM
6 Snap and after Ed Mueller. And if I -- if I'm
7 not mistaken, it said something to the effect
8 that due to my opposition to the trademark that
9 it was considered to be injurious to the PGR and
10 that I was no longer allowed access to the 11:02AM
11 website. And that's when I pretty well figured
12 that they did not consider me a member. I have
13 never stopped considering myself as a member.

14 Q Okay. Have you ever received any
15 communication that was very direct in saying you 11:03AM
16 are no longer a member of the PGR?

17 A The one from Sneaky Snake is the only one I
18 can think of right offhand that specifically said
19 from -- from anyone in -- well, in the PGR period
20 that I was not a member. 11:03AM

21 Q Do you know if you still have the e-mail
22 from Mr. Richart?

23 A Don't know. I thought it was in the
24 exhibits.

25 MS. BLUE: Jim, do you know if that's 11:03AM

1 been produced?

11:03AM

2 MR. O'MALLEY: I don't know offhand.

3 Q (Ms. Blue) All right. Jeff, I've just
4 handed you 7, Exhibit 7, which is a copy of the
5 trademark application filed on November 9th,
6 2006, at the U.S. Patent and Trademark Office.
7 The serial number on it is 77041061. Go back
8 kind of toward the back of it and you'll see some
9 colored photographs or colored images let's say.
10 One of them is a -- what appears to be a license
11 plate. And I'm sorry, there are no page numbers
12 on this. This is a printout from the PTO.

11:05AM

11:05AM

13 Okay. All right. Go back to that first
14 colored image. It looks like it's a license
15 plate or a tag of some sort.

11:06AM

16 A Yes.

17 Q And describe that image to me.

18 A It has the Patriot Guard Riders logo, which
19 is a folded flag surrounded by the words Patriot
20 Guard Rider. And underneath it says Riding with
21 Respect. The flag is a blue background with
22 white stars. Background on the tag is yellow.
23 And then in blue it says Patriot Guard Riders.
24 And then at the bottom it says
25 WWW.Patriotguard.org.

11:06AM

11:06AM

1 Q Okay. Have you ever seen that -- that
2 image with the folded flag and the Patriot Guard
3 Rider before.

11:07AM

4 A Before when?

5 Q Before today.

11:07AM

6 A Yes.

7 Q Okay. Who created that image?

8 A I did.

9 Q Why did you create that image?

10 A When -- when I came up with the idea for
11 the Patriot Guard Riders -- I mean I've done
12 logos and that kind of stuff for years, and I
13 designed a logo. It just seemed like the next
14 step. So that's the logo I came up with.

11:07AM

15 Q Okay. Jeff, I've just given you Exhibit 8
16 which looks like an e-mail exchange between you
17 and Jason Wallin. If you'll go down to sort of
18 the second entry on that exchange it's from you
19 to Jason on November 10th, 2005. And can you
20 read that into the record for me?

11:07AM

21 A Jason, I already have a logo that I did. I
22 used to be in that business also. I also already
23 have a company working on patches, arm bands and
24 flags. Thank the guys for me. I'm sure we can
25 avail ourselves of their offer down the road.

11:08AM

11:08AM

1 Thank you, Jeff Brown, Twister, Broken Arrow,
2 Oklahoma.

11:08AM

3 Q Why'd you write that e-mail to Jeff -- I
4 mean to Jason?

5 A He had e-mailed me and said that he had
6 some people that would design a logo for us.

11:09AM

7 Q Okay. What were you planning to do with
8 the logo?

9 A I had received e-mails from members asking
10 for a vest patch and so I wanted the logo -- I
11 designed the logo to represent the Patriot Guard
12 Riders, to unify us, to identify us as members.
13 And then also when I started getting e-mails
14 about patches and that kind of thing to put on
15 the patches.

11:09AM

11:09AM

16 Q And did you do all those things? Did you
17 put it on the patches and the --

18 A Yes.

19 Q Okay. When did you start to do that?

20 A I'm going to say probably the first item
21 was a patch, and I'm going to guess it was
22 within -- within the first week.

11:10AM

23 Q Okay.

24 A Of November 8th, 2005.

25 MR. O'MALLEY: I'm sorry, I don't

11:10AM

1 understand within the first week.

11:10AM

2 A Sometime --

3 MR. O'MALLEY: Within a week of
4 November 8th?

5 A Within a week of. I'm sorry. And I'm
6 just -- I'm guessing on that. I don't remember
7 for sure when it was.

11:10AM

8 Q (Ms. Blue) Well, maybe this will help.
9 This is Exhibit 9. Appears to be an e-mail again
10 between you and a number of people in the
11 organization. If you'll look at your
12 November 10th, 2005, e-mail, it indicates that
13 several people had asked about patches, decals,
14 et cetera. And it indicates that you've designed
15 a logo. Is this an accurate -- does this help
16 you remember the time frame that you began to
17 offer these items?

11:11AM

11:11AM

18 A Well, I'm going to say this is
19 November the 10th so that's within a week of
20 November the 8th. And so, yeah, it would have
21 been within that time frame.

11:11AM

22 Q Okay. All right. I'll give you
23 Exhibit 10. Jeff, can you tell us what this is?

24 A It appears to be an invoice from United
25 States Flag Company for 11 by 14 inch bike flags.

11:12AM

1 Q Okay. Do you remember anything about this 11:12AM
2 invoice?

3 A Specifically, no.

4 Q Would this have been for the first flags
5 with the Patriot Guard Rider on them? 11:13AM

6 A Friday, December 30th. Probably --
7 probably the first order.

8 MR. O'MALLEY: Objection. Speculation.

9 Q (Ms. Blue) Okay. Would you have ordered
10 flags in December of 2005 for any other reason? 11:13AM

11 A No.

12 Q The total on this invoice looks like it's
13 \$549.31.

14 Who paid that?

15 A I did. 11:13AM

16 Q It looks like maybe you paid it by Visa
17 card on the top of that. Is that accurate?

18 A Yes.

19 Q Okay. Were you reimbursed for that
20 payment? 11:13AM

21 A No.

22 Q Now we heard testimony from Bonnie Perry in
23 October of 2008 that Miss Perry believed that you
24 had paid for merchandise to start the store and
25 were then reimbursed for those payments. 11:14AM

1 A Right.

11:14AM

2 Q Was that testimony accurate?

3 A Absolutely not.

4 Q Okay. Why would Miss Perry have given
5 inaccurate testimony under oath?

11:14AM

6 A I have no idea. I have never received any
7 check from PGR that I can recall for anything,
8 much less for reimbursement for inventory or
9 products. That's just absolutely absurd. And
10 for her to have made that statement, I can't
11 imagine why she would have thought that.

11:14AM

12 Q Are you personally aware of any motive that
13 she would have to make such a statement?

14 A No, I don't know why she would have
15 willingly, knowingly told a lie.

11:15AM

16 MR. O'MALLEY: Okay. Argumentative.

17 Q (Ms. Blue) Let's see. Just a second. I
18 need to see if we've got copies the right way.

19 MS. BLUE: Can we take a little, short
20 break. I need to check on a copy of this. Maybe
21 you-all can have a restroom break.

11:15AM

22 *(Following a short recess at 11:15*
23 *a.m., proceedings continued on the Record at*
24 *11:29 a.m.)*

25 Q (Ms. Blue) Okay. Let's go back on the

11:28AM

1 record. Okay. This is Exhibit 11. This is sort
2 of a big stack here, Jeff, but if you'll take a
3 look at these pages and tell me what they are.

11:29AM

4 A Well, after the cover sheet -- you want me
5 to go through that one. Let's see. The first
6 one is from Promo Peddler. And it's art proof
7 for a PGR arm band that I sent her, and then they
8 created their rendition of it for my approval.

11:30AM

9 Q Okay. What about the next one?

10 A Well, the next one is their artwork. The
11 next one is from American Patch and Emblem and --

11:30AM

12 Q There's a second page from American Patch
13 and Emblem. It says order confirmation on the
14 top.

15 A Right. And that's confirmation for 100 of
16 the three by two Guard Rider vest patches.

11:31AM

17 Q Okay. And then there's another one from
18 American Patch.

19 A That's the artwork for the vest patch.

20 Q Okay. And if we go back to the previous,
21 the order confirmation, it says \$154 total on
22 that page.

11:31AM

23 A Yes.

24 Q Was that paid?

25 A Yes.

11:31AM

1 Q By?

11:31AM

2 A Me.

3 Q Were you reimbursed?

4 A No.

5 Q Let's move to the next one, which appears
6 to be an e-mail between you and Trophy Case at
7 Tulsacoxmail.com.

11:31AM

8 A Yes.

9 Q Tell me what that is.

10 A This is artwork for the -- the plaques that
11 we give to the families of KIAs. And this
12 appears to be probably one of the early ones when
13 I contacted them to get pricing. And this is a
14 copy of the artwork that I designed for the
15 plaque to send to them.

11:31AM

11:32AM

16 Q Okay. The next one is Promo Peddler again
17 to you in 2005. Do you know what that is?

18 A Let's see. Oh, she's just telling me that
19 apparently the -- the ink that they used doesn't
20 come in a pure white. It's a silver white.

11:33AM

21 Q All right. Now these next few pages all
22 look like they are invoices from
23 showyourlogo.com.

24 A Okay.

25 Q And I think that's about the next -- boy, I

11:33AM

1 don't know here. I think that's the rest of -- I
2 think almost the rest of this stack here. There
3 are a number of invoices here. The first one's
4 for \$2900. One for \$197, et cetera.

11:33AM

5 We can go through these one at a time if
6 you like, or if Jim wants us to, but it would
7 appear that they're all invoices, and it would
8 appear that they all went to you.

11:33AM

9 A Yes.

10 Q Did you pay these invoices?

11:34AM

11 A Yes.

12 Q Were you reimbursed for that payment?

13 A No.

14 Q What are these invoices for?

15 MR. O'MALLEY: Can I object just to one
16 point.

11:34AM

17 MS. BLUE: Sure.

18 MR. O'MALLEY: Part of these extend
19 beyond the time that he was on the Board.

20 MS. BLUE: Okay.

11:34AM

21 MR. O'MALLEY: Just want that noted.

22 MS. BLUE: Well, are you objecting or
23 are you asking for clarification?

24 MR. O'MALLEY: Clarification I guess
25 would be more the proper way.

11:34AM

1 Q (Ms. Blue) These invoices begin in 2006.
2 They are in date order. They go all the way to
3 September of 2008. You see it?

11:34AM

4 MR. O'MALLEY: Sorry. Just to interject
5 here. The last invoice I have here shows
6 April 15th, 2008. But it seems to be from a
7 different vendor.

11:35AM

8 MS. BLUE: I need you to get a new copy.
9 That's not what I'm showing.

10 A The last one from Show Your Logo is
11 September 18th, 2008, the last one I have.

11:35AM

12 MR. O'MALLEY: I see that. Then 10321
13 at the bottom?

14 MS. BLUE: Yes.

15 MR. O'MALLEY: Okay.

11:35AM

16 MS. BLUE: Do you have that, Jim?

17 MR. O'MALLEY: Yes.

18 MS. BLUE: Okay. I mean that's -- these
19 are printer separator pages.

20 MR. O'MALLEY: Okay.

11:35AM

21 MS. BLUE: It shouldn't have been in
22 there.

23 MR. O'MALLEY: Yes, I apologize. I
24 thought you said the whole stack.

25 MS. BLUE: No. Okay.

11:35AM

1 MR. O'MALLEY: So I flipped to the back. 11:35AM

2 MS. BLUE: So we're all on the same
3 page.

4 MR. O'MALLEY: We're all on the same
5 page. 11:35AM

6 Q (Ms. Blue) All right. Jeff, what are
7 these invoices for?

8 A For various products, shirts, buttons, ball
9 caps, decals, various products that I used Show
10 Your Logo to create or produce from. 11:36AM

11 Q What was the logo that Show Your Logo put
12 on those items?

13 A The Patriot Guard Riders' logo, the folded
14 flag with Patriot Guard Riders and Riding With
15 Respect. 11:36AM

16 Q And who paid all these invoices?

17 A I did.

18 Q And were you reimbursed for any of those
19 payments?

20 A No. 11:36AM

21 Q And --

22 MS. BLUE: Let me go off the record for
23 just a second.

24 *(Whereupon, a discussion was held off*
25 *the Record.)* 11:37AM

1 Q (Ms. Blue) And I'll just have to share
2 here with Jeff. The next e-mail is from -- or
3 the next invoice appears to be from the Trophy
4 Case 1-12-06. Do you remember anything about
5 this invoice what it was for?

11:37AM

11:38AM

6 A Well, it would have been for plaques that
7 we presented to the families.

8 Q Plaques -- would those plaques have had the
9 Patriot Guard --

10 A Yes.

11:38AM

11 Q -- logo on them?

12 Were you reimbursed?

13 A No.

14 Q Next one is also from the Trophy Case,
15 1-27-06. Do you remember what that was for?

11:38AM

16 A It would have been the same thing.

17 Q Okay. Same question. Did you pay that
18 invoice?

19 A Yes.

20 Q Were you reimbursed?

11:38AM

21 A No.

22 MR. O'MALLEY: May I interrupt just a
23 second. Just something I don't want to forget.
24 On this 10322 there's a Visa and a number and
25 whatnot here. I just want to make sure you're

11:38AM

1 aware of that so that before you --

11:38AM

2 A Oops.

3 MR. O'MALLEY: -- ever make this
4 document public -- I'm assuming it's yours and
5 you probably don't want that out there.

11:38AM

6 A Well, there's a 75 cent limit on it so --

7 MR. O'MALLEY: I just --

8 MS. BLUE: No, good call, Jim.

9 MR. O'MALLEY: Identity theft and all
10 these things.

11:39AM

11 MS. BLUE: That is a good call. Let's
12 redact that from your copy as well. I think I've
13 actually got some big markers. Let's do that.

14 MR. O'MALLEY: If you've got a marker or
15 something.

11:39AM

16 MS. BLUE: Thank you.

17 Q (Ms. Blue) We'll come back to that and
18 mark that out. Let's go to -- I think we were
19 about to hit the American Flags and Poles
20 invoice. You remember what that was for?

11:40AM

21 A I'm assuming it's three by five foot flags,
22 PGR flags.

23 Q Did you pay this invoice?

24 A Yes.

25 Q Were you reimbursed?

11:40AM

1 A No.

11:40AM

2 Q Let's go to the next page, Friday,
3 December 30th, 2005. This may be a duplicate of
4 the one we discussed earlier, invoice for
5 \$549.31. Do you remember what that was?

11:40AM

6 A Not right offhand. If I can --

7 Q I'm sorry, I forgot you didn't have a copy.
8 There you go.

9 A That would have been for 11 by 14 PGR -- 11
10 by 14 inch PGR flags.

11:41AM

11 Q Okay. If we go to what is Bates numbered
12 Brown 10326. Can you tell me what that is, Jeff?

13 A 11 by 14 inch Patriot Guard Rider flags.

14 Q Okay. Invoice is for \$554.78. Did you pay
15 that?

11:42AM

16 A Yes.

17 Q Were you reimbursed?

18 A No.

19 Q On Brown 10327 appears to be an invoice
20 again. What's it for?

11:43AM

21 A 11 by 14 Patriot Guard Rider flags.

22 Q And the invoice is dated March 30th, 2006.
23 It's for \$1,058.64. Did you pay that invoice?

24 A I did.

25 Q Were you reimbursed?

11:43AM

1 A No.

11:43AM

2 Q Let's go to 10328. Invoice dated
3 April 24th, 2006. What's it for?

4 A 11 by 14 inch Patriot Guard Rider flags.

5 Q \$2560. Did you pay that invoice?

11:43AM

6 A I did.

7 Q Were you reimbursed?

8 A No.

9 Q Invoice Brown 10329, dated April 19th,
10 2006. What's it for?

11:43AM

11 A 11 by 14 Patriot Guard Rider flags.

12 Q For \$2,604. Did you pay it?

13 A I did.

14 Q Were you reimbursed?

15 A No.

11:44AM

16 MR. O'MALLEY: If they're all the same,
17 we'll stipulate that -- to what he's testifying,
18 that he paid for it and was not reimbursed.

19 MS. BLUE: Okay. All right.

20 MR. O'MALLEY: Rather than going through
21 piecemeal.

11:44AM

22 MS. BLUE: All right. Will you
23 stipulate to the rest of the documents in this
24 stack.

25 MR. O'MALLEY: That's what I'm saying,

11:44AM

1 yeah, if you're going to ask the same question
2 for --

3 MS. BLUE: I am.

4 MR. O'MALLEY: -- each of them.

5 MS. BLUE: I am. All right.

6 Q (Ms. Blue) All right. Do you still use
7 the Patriot Guard logo that we've been talking
8 about here --

9 A Yes.

10 Q -- today?

11 A Yes.

12 Q In what manner do you use it?

13 A For all different products, from patches to
14 pins to shirts to caps.

15 Q Have you ever stopped using that logo on
16 those types of products?

17 A No.

18 Q Has anybody ever asked you to stop using
19 that logo on those types of products?

20 A No.

21 Q Do you know what a trademark is, Jeff? I
22 know you're not a lawyer, but do you understand
23 what a trademark is?

24 A Loosely, yes.

25 Q Okay. Would you consider that Patriot

1 Guard Rider -- we've been calling it a logo --
2 would you consider that to be a trademark?

11:45AM

3 A Yes.

4 Q Did you ever make any attempt to protect
5 that trademark in any way?

11:45AM

6 A Yes.

7 Q Okay. Can you tell me about that?

8 A Early on -- I'm going to say it was in
9 2006 -- I worked with John Jacobs who is an
10 attorney and PGR member in Pennsylvania. And he
11 said that he would be happy to do the trademark,
12 whatever needed to be done, to protect it for me.

11:46AM

13 Q Did you know what needed to be done to
14 protect it exactly?

15 A No.

11:46AM

16 Q Are you a lawyer?

17 A No.

18 Q What is your understanding of how someone
19 owns a trademark?

20 A My current understanding is that there are
21 certain criteria that have to be met. And one is
22 who created the mark and then who is using the
23 mark in commerce, who is -- I don't know what the
24 right word is other than policing the mark to
25 make sure that it is in fact being used properly.

11:46AM

11:47AM

1 I'm not sure that I know of any other criteria.

11:47AM

2 Q Well, based on those criteria that you just
3 stated, who do you think is the owner of the
4 Patriot Guard Rider trademark?

5 A I am.

11:47AM

6 Q What is your understanding about how
7 someone who is not the owner of a trademark can
8 use it?

9 A Only if they are licensed by the individual
10 that's the owner.

11:48AM

11 Q Okay. Have you ever given anyone any
12 license or permission to use the Patriot Guard
13 Riders' trademark?

14 A Yes.

15 Q Tell me about that.

11:48AM

16 A I have given Patriot Guard Riders
17 organization permission to use it for what I term
18 noncommercial uses, for the organization, on the
19 website, that kind of thing, but not for
20 products. I have given various individuals
21 permission to use it on a personal item not for
22 sale. For instance, I've had members ask me if
23 they can have permission to have a tattoo made or
24 have it painted on their motorcycle or I just
25 recently had a guy ask me if he could use it --

11:48AM

11:49AM

1 he's a woodworker, and he wants to give out
2 small, wooden plaques in the shape of the state
3 of Oklahoma with the PGR logo on it to give out
4 to PGR members that go to the Gathering Of The
5 Guard in Oklahoma. So those types of things.

11:49AM

11:49AM

6 Q You testified a minute ago that you gave
7 permission to PGR organization to use the mark on
8 what I think you said was for noncommercial
9 purposes.

10 A Yes.

11:49AM

11 Q When you say the PGR organization are you
12 talking about the PGR, Inc., the 501(c)(3)
13 corporation?

14 A Yes, and even before it was a corporation.

15 Q Okay. Did you give that permission in
16 writing?

11:50AM

17 A I don't believe so.

18 Q Okay. Was there an understanding between
19 you and any other members of the PGR organization
20 that you were giving that permission?

11:50AM

21 A Yes.

22 Q Okay.

23 MR. O'MALLEY: Objection. Hearsay.

24 MS. BLUE: Well, we'll get to that in a
25 minute.

11:50AM

1 Q (Ms. Blue) Did you express to anyone in
2 writing or in any conversation that you were
3 giving them permission to use the mark in
4 noncommercial ways?

5 A Yes.

6 Q Do you remember the circumstances of any of
7 those conversations or communications?

8 A Not specifically. I remember early, early
9 on when we were first getting -- getting things
10 going I sent the logo over to Jason Wallin and
11 said, here, let's use this on the website or
12 whatever. But there were -- there were various
13 conversations where people would ask to use the
14 logo or -- I'm trying to think how to -- there
15 were various times that it was expressed by me to
16 PGR members or -- and/or leaders that the logo
17 could be used for the organization for
18 noncommercial purposes.

19 Q Did you ever express that to Jason Wallin
20 specifically?

21 A I'm sure I did. Yes, I know I did.

22 Q Okay. Do you recall when you did that?

23 A No, I can't give you a specific instance.

24 Q Do you remember if it was before you
25 resigned as president?

1 A Yes.

11:52AM

2 Q Jeff, this is an e-mail between you and
3 John Jacobs. And it appears that you are
4 forwarding to John a draft of something you
5 wanted to post on the website. And I assume
6 you're meaning the PGR website. This is dated
7 April 24th, 2006.

11:53AM

8 At that point were you the president of the
9 organization?

10 A Yes.

11:53AM

11 Q And what -- can you -- can you kind of
12 summarize this -- this e-mail for us and what you
13 were trying to do?

14 A I don't remember specifically, but there
15 were instances where people wanted to use the
16 logo, and I want to said to prevent its being
17 used without authorization.

11:53AM

18 Q Okay. In this communication it says, the
19 name, Patriot Guard Riders, our logo, as well as
20 the phrase Riding With Respect, are all
21 trademarked to protect the identity of the
22 organization.

11:54AM

23 Do you recall what you meant when you said
24 are all trademarked?

25 A Well, at -- and I'm -- okay. This was to

11:54AM

1 John Jacobs so we were already in communication
2 regarding. And I assumed that it had been
3 trademarked, that he had completed all of the
4 paperwork necessary to secure the trademark.

11:54AM

5 Q So is it your understanding then that
6 Mr. Jacobs had actually filed -- or you thought
7 that he had filed an application --

11:54AM

8 A Yes.

9 Q -- at the trademark office in Washington?

10 A Well, I -- let me back up. I say yes. I
11 don't know specifically. I thought he had done
12 whatever. I didn't know what needed to be done.
13 But I had given him copies of the products and
14 all of that kind of stuff, whatever he had
15 requested, and I had assumed that everything had
16 been completed.

11:55AM

17 Q Were you already using the logo on goods at
18 this point?

19 A Yes.

20 Q And you were using it on the website at
21 this point?

11:55AM

22 A Yes.

23 Q Had you -- do you know if you had already
24 communicated with Jason or anyone else in the PGR
25 about a grant to use it on the website at that

11:55AM

1 point?

11:56AM

2 A I'm sure I had.

3 Q Okay.

4 A Well, I would have done that when I said,
5 here, use it on the website.

11:56AM

6 Q All right. When you say are all
7 trademarked, at the time you sent this
8 communication to John, were you simply asking him
9 or making the assumption -- I'm sorry, let me
10 correct myself -- making the assumption that he
11 had filed the paperwork?

11:56AM

12 A Yes.

13 Q Okay.

14 A I was asking for his input, was there
15 anything else that I needed to say on this or
16 anything that was inaccurate in what I was
17 saying?

11:56AM

18 Q And were you doing this in order to enforce
19 the trademark?

20 A Yes.

11:56AM

21 Q Okay. Jeff, I've just given you
22 Exhibit 13, which is an e-mail exchange between
23 you and John Jacobs, February 1st of 2007. And
24 kind of time frame, goes back to about
25 January 23rd. It's an e-mail chain.

11:57AM

1 It appears in this discussion that there is
2 also a copyright application that John was
3 helping you with.

11:57AM

4 A No, if I'm not mistaken, I was confusing
5 the term copyright with trademark and didn't know
6 what I was talking about. That's pretty
7 standard.

11:57AM

8 Q All right. On January 23rd of 2007 you
9 write to John and you say, I did some research
10 and found the first invoice for vest patches was
11 written on 11-15, 2005.

11:58AM

12 Why were you giving him that information?
13 Do you know?

14 A I'm sorry, I'm lost.

15 Q Go down to about the bottom third of the
16 page.

11:58AM

17 A Of the first page?

18 Q Yes.

19 A Oh, okay. If I remember correctly, he
20 wanted to know when I was first using the logo
21 commercially.

11:58AM

22 Q Okay.

23 A And the vest patch was the first product
24 that I did.

25 Q Okay. And then it looks like you're

11:58AM

1 communicating further with him as you kind of go 11:58AM
2 up to the top of the page, the February 1st,
3 2006, e-mail gives him some additional
4 information about some other products?

5 A Yes. 11:58AM

6 Q And some dates?

7 A Yes.

8 Q Were those also meant to be first use dates
9 that you were giving him?

10 A For those particular products, yeah. 11:59AM

11 Q Okay.

12 MS. BLUE: All right. Let's just take a
13 quick little -- off the record for a second.

14 *(Whereupon, a discussion was held off*
15 *the Record.)* 11:59AM

16 Q (Ms. Blue) This is 14. Jeff, this looks
17 like an e-mail that perhaps was forwarded to you
18 in January of 2009 from Kerri Hamilton. Who is
19 Kerri Hamilton?

20 A She is a member here in Oklahoma. Goes by 12:01PM
21 the name of BA Critter, or she was a member. She
22 has been expelled if you will from my
23 understanding.

24 Q Why was she forwarding this e-mail to you?

25 A I don't know. I got people that forward 12:01PM

1 e-mails to me all the time if they feel like it's
2 something I need to be aware of.

12:01PM

3 MR. O'MALLEY: I'd like to note that I
4 don't know whether we've seen this document
5 before or not. I know we've seen -- there have
6 been documents produced from Kerri Hamilton.
7 This doesn't have a Brown stamp on it; so I don't
8 know whether we've seen it or not.

12:01PM

9 MS. BLUE: Okay.

10 Q (Ms. Blue) Who is Whirlwind?

12:01PM

11 A That's Bill Richart.

12 Q Okay. What's his position in the
13 organization right now?

14 A He is president.

15 Q Okay.

12:02PM

16 A Or I assume.

17 Q Okay. If you'll look at this e-mail from
18 him, does he act as the spokesperson for the PGR?

19 A Yes.

20 Q If you go down to the very last paragraph
21 on this first page, he says, it is also correct
22 that if we lose this dispute, we'll lose the
23 right to conduct our missions under the name
24 Patriot Guard Riders. There will be no attempts
25 to secure a license from the opposer if he should

12:02PM

12:02PM

1 win.

12:02PM

2 Do you think that that is an accurate
3 characterization of your intention?

4 A Absolutely not.

5 Q What is your position right now with
6 respect to the PGR Inc.'s continued use of
7 Patriot Guard Riders with respect to the
8 organization's activities? I'm talking about the
9 website, the missions, what I think you called
10 earlier noncommercial use.

12:03PM

11 A My -- my attitude towards that is I would
12 never want to see the organization go away. The
13 Patriot Guard Riders is something that I founded.
14 And for anyone to make the statement that I
15 would -- I've heard it said that I would shut the
16 organization down. I mean that's asinine. Why
17 would I do that? It doesn't make sense.

12:03PM

18 Q Are there any circumstances under which you
19 would do it?

20 A Oh, of course. I mean if -- if they
21 started promoting home grown terrorism or, you
22 know, if they became something other than what
23 our mission statement purports us to be. And I
24 don't mean minor things, if they adopt minor
25 changes. But if they become an organization that

12:03PM

12:04PM

12:04PM

1 does not uphold the mission statement, then I
2 would want to see them go do it under another
3 name.

12:04PM

4 Q Okay. Is it your position that they are
5 even now using Patriot Guard Riders with your
6 permission with respect to the association
7 services?

12:04PM

8 A Yes.

9 MR. O'MALLEY: Where are we?

10 MS. BLUE: We are on -- it was 7. It's
11 Jeff's application.

12:05PM

12 Q (Ms. Blue) Jeff, this is your trademark
13 application that we talked about briefly earlier.
14 And if you'll look at, oh, the second through the
15 fifth pages of that, there are some sections of
16 this application that identify the goods and
17 services in this trademark application. I'll go
18 through these a little bit and have you talk
19 about these first use in commerce dates.

12:06PM

20 All right. The first category of goods and
21 services is on the second page of this exhibit,
22 and it identifies some goods in International
23 Class 6 as metal license plates and identifies a
24 first use in commerce date of at least as early
25 as 11-9, 2005.

12:06PM

12:06PM

1 A I'm not finding --

12:07PM

2 Q Just turn to the second page. I think you
3 skipped a page.

4 A Oh, I'm sorry.

5 Q There you go.

12:07PM

6 A Metal license plates. okay.

7 Q Are you with me?

8 A Yeah.

9 Q All right. Now you flip back to this
10 colored section of the application at the back,
11 picture of a license plate that we talked about
12 earlier. Is that an accurate categorization? Is
13 this a license plate?

12:07PM

14 A Yes.

15 Q Is that the license plate that you sell
16 with Patriot Guard Rider on it?

12:07PM

17 A Yes.

18 MS. BLUE: And, Jim, if you want to, we
19 can stipulate to the rest of these categories.
20 I'm just going to establish that these specimens
21 are accurate reflections of the goods and
22 services.

12:07PM

23 MR. O'MALLEY: Sure. That's fine.

24 MS. BLUE: You want to stipulate to that
25 and then we'll skip -- skip this section?

12:08PM

1 MR. O'MALLEY: Sure. That's fine.

12:08PM

2 Sounds like it will be intriguing.

3 MS. BLUE: Well, it does.

4 Q (Ms. Blue) But nevertheless, I'm going to
5 represent to you this trademark application
6 identifies goods and services that you provided
7 under the Patriot Guard Rider trademark, and you
8 presented to the Patent and Trademark Office the
9 specimens that show the use of that mark on the
10 goods and services identified in the application.
11 And Mr. O'Malley has just stipulated to that
12 fact.

12:08PM

12:08PM

13 A Yes.

14 Q All right. The last item in these goods
15 and services is a association services. When you
16 filed this trademark application with Mr. Jacobs'
17 help, you filed it as an individual.

12:08PM

18 Do you know if an individual can own a
19 trademark for an association? You can just tell
20 me whether you know or not.

12:09PM

21 A I don't know for a fact, but I would assume
22 so.

23 Q Can an individual form an association?

24 A I would assume so. I mean I did.

25 Q Okay.

12:09PM

1 A Now I don't know what the legal definition
2 of an association is.

12:09PM

3 Q Let's read what you -- what you applied for
4 here. You asked that a trademark be granted for
5 association services, namely promoting the
6 interests of families of deceased military
7 members and families of deceased veterans. It's
8 on the one, two, three -- fourth page of this
9 exhibit. Go down to the bottom of the page where
10 it says International Class 35.

12:09PM

12:10PM

11 A Okay.

12 Q Okay. Is that an accurate description of
13 what you intended the PGR organization to do --

14 A Yes.

15 Q -- when you formed it?

12:10PM

16 A Yes.

17 Q Okay. Do you believe that there has been a
18 continued use of the Patriot Guard Riders'
19 trademark that you identify in this application
20 with respect to those association services?

12:10PM

21 A Yes.

22 Q And has that been done through your
23 permission to the organization to use that
24 trademark?

25 A Yes.

12:10PM

1 Q Who buys Patriot Guard Rider merchandise? 12:10PM
2 A Members of the organization.
3 Q Can anybody buy it?
4 A Yeah.
5 Q If I want to buy some, can I? 12:11PM
6 A Yeah.
7 Q I'm not a PGR member.
8 A If you go on the website, I would have no
9 way of knowing if you are or are not a member.
10 Q Okay. When you sell the merchandise that 12:11PM
11 we've identified in this trademark application
12 and for which we saw invoices earlier, where do
13 you ship that merchandise to?
14 A To the customer or the member.
15 Q Do those customers live in any particular 12:11PM
16 place?
17 A No, they live all over.
18 Q All over the world? All over the U.S.?
19 A No, just the U.S. I don't do international
20 shipping as a rule. 12:11PM
21 Q Okay.
22 A I have on occasion, but --
23 Q Before you resigned as PGR President could
24 anybody in the organization use the Patriot Guard
25 Rider mark for whatever they wanted? 12:12PM

1 A No.

12:12PM

2 Q Did they have to ask permission to use it?

3 A Yes.

4 Q Who did they ask?

5 A They normally would either ask me or
6 sometimes I think they would ask their state
7 captain who would then refer it on to me or a
8 Board member or whomever.

12:12PM

9 Q Were other Board members authorized to give
10 permission to use --

12:12PM

11 A No.

12 Q -- that trademark?

13 What about now? Can anybody sell goods
14 with that trademark on them?

15 A I don't have any idea. I mean I don't know
16 what PGR, Inc. has -- who they've allowed or --
17 my understanding is they have allowed the states
18 to basically do whatever they wanted to on the
19 logo.

12:12PM

20 Q Do you object to that?

12:13PM

21 A I do.

22 Q Have you made any efforts to enforce
23 against that?

24 A No, because I never gave permission.

25 Q Okay. Has anyone outside of the PGR

12:13PM

1 organization tried to use the trademark on goods
2 or services?

12:13PM

3 A Yes. Well, let me back up. Yes.

4 Q Can you tell me about that?

5 A Well, I had one instance at the Healing
6 Fields in Sturgis where the -- and I want to say
7 his name was Paul, and I don't know what his
8 title was. But he was with the Healing Fields
9 organization and they had a booth set up. And
10 they sold Healing Fields shirts, et cetera, but
11 they also had small chrome antennas for
12 motorcycles.

12:13PM

12:14PM

13 And Jason and I got up one morning and Paul
14 had a whole box full of like three by five inch
15 Patriot Guard Riders' flags made up that he was
16 going to give away to anyone who bought one of
17 his -- his masts. And I just hit the ceiling.
18 And he said, well, I'm not charging for them and
19 I thought it would be good promotion. And I
20 said, yeah, but this is -- this is a trademark
21 logo, and you have no authorization to use it in
22 any manner. And so I made him destroy all the
23 flags.

12:14PM

12:14PM

24 Right offhand I can think of another guy
25 that contacted me that wanted to use it on -- he

12:15PM

1 was an engraver, and he wanted to use it on -- I 12:15PM
2 don't know what they're called. Can I talk to
3 Bill for a minute? Can I ask Bill a question? I
4 don't know what the protocol is.

5 MR. O'MALLEY: It's kind of improper, 12:15PM
6 but it's fine.

7 MR. BROWN: Bill, on a Harley Davidson
8 what's that round plate called.

9 MR. RICHART: Around the fuel cap?

10 MR. BROWN: No, around the engine 12:15PM
11 itself. Is it clutch cover?

12 MR. RICHART: Probably. The down side.

13 A Anyway, he contacted me. He wanted to
14 engrave -- sell engraved PGR logos that snap --
15 that bolt on. I said, no, you know, that's not. 12:16PM

16 So there have been instances where people
17 have contacted me, individual companies. Now
18 this guy with the plates may have been a PGR
19 member. I don't know.

20 Q (Ms. Blue) But you told him he couldn't do 12:16PM
21 it?

22 A Right.

23 Q What about times when somebody has not
24 contacted you in advance? Have you attempted
25 to -- 12:16PM

1 A There have been --

12:16PM

2 Q -- enforce the trademark?

3 A -- a few instances that I have found out
4 about where someone was using the logo, and I've
5 either contacted them or asked my attorney to
6 contact them to stop. I can't remember any
7 specific instances right offhand, but --

12:16PM

8 Q Okay. We'll talk about some of those in a
9 few minutes. But after -- you gave us an example
10 of an instance that was at the Healing Fields,
11 which I think was before you resigned as
12 President --

12:17PM

13 A Right.

14 Q -- of PGR?

15 A Yes.

12:17PM

16 Q Have there been other instances after your
17 resignation as an officer where you have had
18 the -- reason to enforce the trademark against
19 someone or enforce your trademark rights? Let me
20 put it that way.

12:17PM

21 A I'm sure there have. I can't remember
22 specific instances that I could quote you. But
23 I -- hasn't been that many that I have been made
24 aware of.

25 Q Okay. Did you ever create any kind of

12:17PM

1 formal license arrangement for other people to
2 use the Patriot Guard Rider trademark?

12:18PM

3 A By formal you mean written?

4 Q Uh-huh. I'm sorry, yes.

5 A I think I have on occasion sent someone --
6 replied to an e-mail asking permission to use it
7 for something and then replied to the e-mail
8 saying yes.

12:18PM

9 Q Okay.

10 A which would in my mind constitute an
11 agreement.

12:18PM

12 Q Okay.

13 A But would it have fallen under the
14 category -- for instance, the Gathering of The
15 Oklahoma Guard asked for permission to use it on
16 the promotional material for the Gathering Of The
17 Guard, and I granted that.

12:18PM

18 Q Okay. Jeff, this is marked as PGR 1395,
19 and it is a -- looks like a post on the PGR
20 website, which is www.patriotguard.org from
21 somebody named wescoat2. Who is that?

12:19PM

22 A That would be Ed Mueller.

23 Q Can you read to me what Ed is writing to
24 someone named Sierge or Sierge? I don't know how
25 you pronounce it.

12:20PM

1 A It says, we only have permission to use the
2 PGR logo on the website. No permission given for
3 anything else. Respects, Ed.

12:20PM

4 Q Okay.

5 A Freedom, justice, and brotherhood.

12:20PM

6 Q Is this post from Ed Mueller an accurate
7 characterization of your permission to the PGR?

8 A Yes.

9 Q Who have -- you've already testified that
10 anybody who's a PGR member has access to that
11 website?

12:20PM

12 A Yes.

13 Q Can they see those posts?

14 A This looks like -- it doesn't look like it
15 was a restricted post; so yes.

12:21PM

16 MR. O'MALLEY: Objection. Speculation.

17 Q (Ms. Blue) I'm going to give you -- Jeff,
18 this is Exhibit 16. And it's Bates labeled PGR
19 3373. It looks like a series of posts dated
20 from -- or dated September 14th of 2006.

12:21PM

21 A September 4th is what --

22 Q 4th, I'm sorry, 2006. Can you describe
23 what this series of posts is about?

24 A Well, apparently someone was selling PGR
25 gear -- by that, items with PGR logo -- on eBay.

12:23PM

1 And someone's asking is it legal? Someone else
2 is indicated, if they didn't make it, if they
3 bought it from the PGR Store, they could resell
4 it on eBay. And then Zippy is talking about
5 someone copying a design that she created. Then
6 another member is asking who owns the trademark
7 or copyright and the -- I don't know what the
8 name is on it. Someone from Kentucky says that
9 Jeff Twister owns all the copyrights. Last time
10 I checked, he has to grant someone a license
11 before they can use any of the copyrighted
12 material for other things. And then Sergeant
13 Potsie says, Johnny W is correct. Jeff owns the
14 design and the motto. They are licensed to PGR
15 and anyone else who obtains his permission. I do
16 believe that a pee pee slap is in order here. I
17 don't know that that means.

12:23PM

12:24PM

12:24PM

12:25PM

18 Q I don't know what a pee pee slap is either.
19 And I'm not sure I want to.

20 A Yeah, I don't want one.

12:25PM

21 Q It would appear from those posts that there
22 are at least some members of the PGR that
23 understood that you did own --

24 A Yes.

25 Q -- the design and that you had licensed it

12:25PM

1 to the PGR?

12:25PM

2 A Yes.

3 Q And does that comport with your
4 understanding --

5 A Yes.

12:25PM

6 Q -- of what you knew?

7 Okay. This is Exhibit 17. It's Bates
8 labeled Brown 10238. It looks like an e-mail
9 exchange between you and John Jacobs in September
10 of 2006.

12:27PM

11 Do you recall this communication?

12 A I don't recall it specifically. Apparently
13 someone was making with -- here we go. Patriot
14 Guard Riders embroidered denim jacket on eBay,
15 and someone made me aware of it. And I asked
16 John to send a cease and desist letter, and he
17 says he will. And then he says that the auction
18 was cancelled early with no sale. I can't tell
19 if the complaint to eBay or the second request to
20 the seller was the cause.

12:28PM

21 Q Was this one of the efforts you talked
22 about earlier to police the use of the mark?

23 A Yes.

24 Q Okay. Jeff, this Exhibit 18 that you
25 produced is Brown 10205. It looks like an e-mail

12:28PM

12:29PM

1 exchange between you and John Jacobs again.

12:29PM

2 Can you describe this? And, if you
3 remember, tell me what it was about.

4 A I don't remember specifically, but
5 apparently someone was wanting to make PGR
6 speedometer face plates for a member but was
7 asked not to by an attorney for the former ED. I
8 don't know what that means.

12:29PM

9 Q In November of 2006 was there a former ED?

10 A Oh, executive director. I don't recall
11 the -- the instance.

12:30PM

12 Q Okay. Well, you know as we look at it --

13 A Apparently this is from John to me. Okay.
14 I was reading it wrong. So apparently I had told
15 this guy not to.

12:30PM

16 MR. O'MALLEY: Objection. Speculation.

17 Q (Ms. Blue) Well, let me ask you a
18 question. There's a date on this says -- it
19 says, 27 --

20 A Yeah.

12:31PM

21 Q -- November, 2006, 8:36 p.m.

22 A A.m.

23 Q You're looking at the date at the top.

24 A Oh, I'm sorry.

25 Q I'm looking at the date in the middle of

12:31PM

1 the page.

12:31PM

2 A Yeah.

3 Q That looks like perhaps it's a forwarded
4 post from the website.

5 A Yeah.

12:31PM

6 Q Do you think that's accurate?

7 MR. O'MALLEY: Objection. Leading.

8 A A post from the website? I don't know.

9 Q (Ms. Blue) Let me ask you this question.
10 Why is there a date stamp in the middle of that
11 post that is not the same day as the e-mail to
12 you?

12:31PM

13 A It it's been copied and pasted in there
14 from somewhere.

15 Q Okay. Why would John send you an e-mail
16 like that?

12:31PM

17 A I'm assuming he's asking me if I was aware
18 of this. And from the date, former ED had to
19 refer to me because I was the only former
20 executive director there.

12:32PM

21 Q Was this shortly --

22 MR. O'MALLEY: Objection. Speculation.

23 Q (Ms. Blue) -- after you resigned?

24 A Yes.

25 Q Was there an executive director of the PGR

12:32PM

1 other than yourself on November 28th, 2006?

12:32PM

2 A November 28th. That was after my
3 resignation.

4 Q How many executive directors had the
5 organization had in November of 2006?

12:33PM

6 A Me.

7 Q Okay. So the former ED could refer to no
8 one but you; is that correct?

9 A Correct.

10 Q Okay. Now at the bottom of this it says, I
11 can respond, you can respond or not. Your call.

12:33PM

12 Do you recall what the --

13 A No.

14 Q What the context of that communication was?

15 A I really don't.

12:33PM

16 Q Okay. That's all right.

17 This is an e-mail exchange between you and
18 John Jacobs on January 18th, 2007. And John
19 appears to be forwarding to you a message
20 regarding unauthorized trademark use or
21 infringement of intellectual property. Is that
22 accurate?

12:34PM

23 A Yes.

24 Q In 2007 were you still the executive
25 director of the organization?

12:34PM

1 A No.

12:34PM

2 Q why is John sending you this e-mail?

3 A well, it -- this -- if I remember
4 correctly, I asked him for some type of a blanket
5 letter or some type of a format that I could use
6 to send people if they were illegally using the
7 marks. And he sent me what he had used in the
8 past.

12:35PM

9 Q okay. Did John understand that you were
10 the owner of the trademarks?

12:35PM

11 A Yes.

12 Q Jeff, this is Exhibit 20. It looks like it
13 is an e-mail exchange in late February of 2009
14 between you and R. R. Awtry?

15 MR. O'MALLEY: I just want to object
16 again. I'm not sure that we've ever seen this
17 document before.

12:36PM

18 MS. BLUE: I think it's produced in
19 Mr. Awtry's deposition, but we can check later.

20 Q (Ms. Blue) Is that right, it's between you
21 and Ronny Awtry?

12:37PM

22 A Yes, ma'am.

23 Q what's the subject matter of this
24 communication?

25 A Ronny wanted permission to use the logo on

12:37PM

1 a travel trailer and on a motocross -- well, I
2 don't know what you call the things. It's a race
3 cart I guess is what you would call it.

12:37PM

4 Q Okay. And did you give him permission to
5 do that?

12:37PM

6 A I did.

7 Q Okay. Was Mr. Awtry ever in a leadership
8 position in the Patriot Guard organization?

9 A Yes. Well, in Patriot Guard Riders.

10 Q I'm sorry, you're right. I stand
11 corrected.

12:38PM

12 When was he a leader in that organization?

13 A Ronny joined the PGR pretty early on. I
14 want to say early 2006 or maybe late 2005. He
15 became I think a ride captain in the state of
16 Texas. And I don't know when he joined the
17 national team if you will, but he became -- he
18 pretty well founded the Help On The Homefront
19 program at Bamsey Hospital and so he became the
20 national director of the HOTH program. And then
21 he was on the Board of Directors while I was
22 president. If I'm not mistaken, he was on the
23 Board.

12:38PM

12:39PM

24 After I left he -- I think he took over as
25 treasurer after Jason Wallin left. I don't know

12:39PM

1 what all positions, but he was -- he was in a
2 leadership position for a long time.

12:39PM

3 Q Why was he asking you for permission to use
4 the trademark?

5 A Because he believed that I owned the
6 trademark.

12:40PM

7 Q Ronny's request came to you in 2009. Do
8 you still get these type of requests from people
9 from time to time?

10 A Yeah.

12:41PM

11 Q Do you have any specific criteria that you
12 apply to them?

13 A Normally the -- if it's a PGR member and
14 they want to do something personal and it's not
15 going to be for sale and it's not going to be
16 reproduced and they give me an idea what it is --
17 what the final outcome's going to look like, then
18 I'll normally approve it.

12:41PM

19 Q Would you ever approve a request for
20 commercial use?

12:41PM

21 A Don't have any intention of it, but that --
22 I'd never say never.

23 I need to go back on that last statement.

24 Q Okay.

25 A Because, yes, I did.

12:42PM

1 Q Approve a --

12:42PM

2 A Approve a commercial use.

3 Q Okay.

4 A And that was with Roy Wells in a

5 short-lived PGR PX where he sold shirts, caps.

12:42PM

6 But he took the same designs, the same -- and in

7 most cases same manufacturers and sold them. And

8 it was -- I stopped selling them. And it was

9 simply because I wanted to spread out the

10 workload if you will. And that was short-lived

12:42PM

11 simply because he, for whatever reason, couldn't

12 or didn't want to continue with it.

13 Q Okay. You didn't ask him to stop?

14 A No, he got tired. He thought he didn't

15 want to be retired any more.

12:43PM

16 Q Happens to the best of us.

17 All right. Jeff, this is Exhibit 21. It

18 is a trademark application filed on November 9th,

19 2006. The serial number on it is 77040379. It's

20 a trademark application filed by Patriot Guard

12:43PM

21 Riders, Inc. The address given for this is 312

22 Granite Court, Windsor, Colorado.

23 who -- who lives at 312 Granite Court,

24 Windsor, Colorado?

25 A Well, at that time Jason Wallin.

12:44PM

1 Q Is that the accurate address for the
2 Patriot Guard Riders, Inc. corporation?

12:44PM

3 A Not to my knowledge.

4 Q Go back to the last two pages of that
5 exhibit. The very last page is a picture of some
6 T-shirts.

12:44PM

7 Do you recognize those?

8 A Yes, ma'am.

9 Q Tell me about them.

10 A These are the shirts that I had designed
11 for the Healing Fields promotion at Sturgis in
12 2006.

12:44PM

13 Q Okay. You go back to the second page of
14 this exhibit. It talks about some first use
15 dates. First one says at least as early as
16 11-11, 2005.

12:45PM

17 Were these T-shirts in use in November of
18 2005?

19 A Absolutely not.

20 Q Okay. Did you approve the T-shirts when
21 they were produced?

12:45PM

22 A Yes.

23 Q Who asked you to approve them?

24 A The artists that did the graphics on it.
25 Terry Crane I believe his name was.

12:46PM

1 Q Did Jason Wallin have any involvement in
2 producing these T-shirts?

12:46PM

3 A He connected me with Terry Crane.

4 Q Okay. You said you told these T-shirts at
5 Sturgis in 2006?

12:46PM

6 A Yes.

7 Q Okay. Was there anything else with the
8 Patriot Guard name sold at that event?

9 A I don't believe so.

10 Q Were there any flags at that event?

12:46PM

11 A Don't think so. I don't remember for sure,
12 but I don't -- I think the T-shirts -- oh, there
13 were -- the sponsorship of the American flags.

14 No PGR flags. In other words, the flags that we
15 had posted out in the field, someone could

12:46PM

16 sponsor a flag for \$25. After the event was
17 over, they had -- they could either come and get
18 their flag and keep it or we would -- when we
19 broke down the Healing Fields, if they wanted, we
20 would send that flag to the family of the soldier
21 or they could donate the flag to be used in the
22 flag line by the PGR.

12:47PM

23 Q Did you pay to have those T-shirts created?

24 A Yes.

25 Q Were you reimbursed for that?

12:47PM

1 A No.

12:47PM

2 Q Did you pay to have the flags created, the
3 flags that people could buy and sponsor?

4 A Not created. I mean they were American
5 flags so they were already created.

12:47PM

6 Q Did you purchase those flags?

7 A Yes.

8 Q Did you mean to purchase those flags?

9 A No.

10 Q Tell us about that.

12:48PM

11 A The -- when Jason approached me about the
12 project he said that the cost of everything would
13 be covered by the sponsorship of the flags and
14 that there was also going to be two rides that
15 were being set up by Buffalo Chip. And what that
16 would be is that people would sign up to take a
17 ride say up to Mount Rushmore and that there
18 would be a box lunch and this kind of thing and
19 that Buffalo Chip was donating all that and that
20 the proceeds would go to the PGR. And the sale
21 of the shirt, the flags and the two rides would
22 not only cover all the costs, but would put money
23 in the coffers for the PGR.

12:48PM

12:48PM

24 Q Okay. Did the sponsorship cover those
25 flags?

12:49PM

1 A No.

12:49PM

2 Q So what happened after the event?

3 A Several -- time frame I can't give you, but

4 quite some time afterwards I started getting

5 e-mails from the Healing Fields wanting to know

12:49PM

6 why they'd not been paid, and I couldn't get

7 ahold of Jason. And I told them not to worry.

8 I'd take care of it. So I wrote them a check

9 for -- I want to say it was \$26,000.

10 Q Were you reimbursed for that?

12:50PM

11 A No.

12 Q Did Jason ever have any explanation --

13 A Not to me.

14 Q -- about that?

15 Did you ever see any kind of agreement,

12:50PM

16 written agreement, regarding the sponsorship of

17 the flags?

18 A Not to my knowledge.

19 Q Did you just take Jason's word for it --

20 A Yeah, I trusted Jason.

12:50PM

21 Q -- that the sponsorship would cover the

22 flags?

23 Let's get back to the shirts here for a

24 second. You said that Jason hooked you up with

25 the artist?

12:50PM

1 A Yes.

12:50PM

2 Q Why do you suppose he directed the artist
3 to you instead of approving the shirts himself?

4 A He didn't have the authority to approve a
5 shirt.

12:51PM

6 Q Did he understand that he didn't have that
7 authority?

8 A I'm sure he did, yeah.

9 Q Jason ever try to approve anything that you
10 found out about after the fact?

12:51PM

11 A Not that I recall.

12 Are you talking about on the use of the
13 marks?

14 Q Jason ever authorize anybody to use the
15 mark without going through you?

12:51PM

16 A Not to my knowledge that I can remember.

17 Q What would you have done if you had done
18 that?

19 A Jumped in the middle of his lunch bucket.

20 Q Okay.

12:51PM

21 MR. O'MALLEY: I'm sorry, I don't
22 understand what that means.

23 A Get a lunch bucket, and I'll show you.

24 MS. BLUE: All right. On that note, why
25 don't we break for lunch and let's come back --

12:52PM

1 it's 12:52. Why don't we come back at 1:15 --
2 I'm sorry, not 1:15. 2:15.

12:52PM

3 *(Following a lunch recess at 12:52*
4 *p.m., proceedings continued on the Record at 2:15*
5 *p.m.)*

12:52PM

6 Q (Ms. Blue) Coming back after a break. And
7 before the break we were talking about the PGR's
8 first application filed November 9th, 2006. It's
9 Exhibit 21.

10 who filed that application if you know?

2:16PM

11 A Jason Wallin.

12 Q Did you authorize him to file it?

13 A No.

14 Q When did you learn that it had been filed?

15 A Don't remember for sure, but I think it was
16 not too long after it had been filed.

2:16PM

17 Q Within a few weeks? Within a few months?

18 A Yeah, within a few weeks I think.

19 Q Okay. You didn't authorize Jason's filing
20 of that application?

2:16PM

21 A No.

22 Q I want you to go to the declaration that's
23 at the end of the application. It's about three
24 pages from the back.

25 A Okay.

2:17PM

1 Q It says declaration. Now there is a
2 sentence -- actually, this is one big, long
3 sentence. But the relevant part of it I want to
4 talk about right now is at the mid -- starts
5 midway through right after where it says 15
6 U.S.C. Section 1051(b).

2:17PM

2:17PM

7 A Yes.

8 Q Says he/she believes the applicant to be
9 entitled to use such mark in commerce. To the
10 best of his or her knowledge and belief no other
11 person, firm, corporation or association has the
12 right to use the mark in commerce either in the
13 identical form thereof or in such near
14 resemblance thereto as to be likely when used on
15 or in connection with the goods and services of
16 such other person to cause confusion or to cause
17 mistake or to deceive and that all statements
18 made of his or her knowledge are true and that
19 all statements made on information and belief are
20 believed to be true.

2:17PM

2:17PM

2:18PM

21 Do you see that?

22 A Yes, ma'am.

23 Q And then underneath it, it says, signature,
24 Jason D. Wallin. Date 11-9, 2006.

25 Now, on 11-9, 2006 was there any other

2:18PM

1 person, firm or corporation that had the right to
2 use the logo that you see two pages further on in
3 this exhibit that's a triangular mark in yellow
4 and blue says Patriot Guard Riders?

2:18PM

5 A Yes.

2:18PM

6 Q Who was that?

7 A Me.

8 Q Did Jason Wallin know that when he --

9 A Yes.

10 Q -- signed this declaration on 11-9?

2:18PM

11 MR. O'MALLEY: Objection. Speculation.

12 Q (Ms. Blue) Was Jason Wallin aware that --
13 or had you made any effort to communicate with
14 Jason Wallin that you believed you owned that
15 trademark --

2:19PM

16 A Yes.

17 Q -- prior to 11-9, 2006?

18 A Yes.

19 Q Do you know of any reason that Jason Wallin
20 would declare that he believed PGR, Inc. to be
21 entitled to use such a mark in commerce?

2:19PM

22 A No.

23 Q Can you think of any written communication
24 between you and Jason that would have established
25 your ownership with him?

2:19PM

1 A Yes. There is an e-mail -- a prior
2 exhibit -- where I told him I had already
3 designed a logo, and I sent it over to him and
4 said let's use this on the website.

2:19PM

5 Q Okay. Jeff, this is Exhibit 22. And we've
6 previously produced this. It's Bates labeled at
7 the bottom. And it is an e-mail communication
8 between you and Jason on November 9th, 2005.

2:20PM

9 That's a year before this trademark application's
10 filed. Read Jason's e-mail to you at the very
11 top of the page if you would.

2:21PM

12 A BTW, or by the way, you now own
13 patriotguard.org domain name, and I can host it
14 for you for free.

15 Q Okay. We've already seen a couple of
16 e-mail exchanges that are exhibits we've
17 introduced in today's deposition that indicate
18 that you own the mark and that various PGR
19 members understood that you owned the mark. One
20 in particular was Ed Mueller in a post -- I've
21 got to go back to find the right exhibit.

2:21PM

22 Exhibit 15 indicates that you -- he understood
23 that the organization only had permission to use
24 the PGR logo on the website. There was no
25 permission given for anything else.

2:22PM

2:22PM

1 Was Ed Mueller involved in the organization
2 on November 9th, 2006?

2:23PM

3 A Yes.

4 Q Would Ed Mueller have been in communication
5 with Jason Wallin on a regular basis at that
6 time? If you know.

2:23PM

7 A I would think so.

8 Q Was Ed Mueller -- did he hold any position
9 of leadership in the PGR on November 9th, 2006?

10 A I'm not sure. I don't remember when he
11 became president.

2:23PM

12 Q Okay. Let's look on -- we're going to go
13 back on Exhibit 21 here.

14 A Wait. Let me back up. He -- I'm 99
15 percent sure he was on the Board of Directors.

2:23PM

16 Q In November --

17 A I don't --

18 Q -- of 2006?

19 A Yes.

20 MR. O'MALLEY: Objection. Speculation.

2:24PM

21 Q (Ms. Blue) Let's go back to Exhibit 21.
22 Let's look on the first page of that. If you
23 would, read me -- there's a little section that
24 says description of the mark. Can you read me
25 what it says in that -- in that box beginning

2:24PM

1 with the mark consists of?

2:24PM

2 A The mark consists of. This mark has a
3 yellow field with a blue and white folded
4 American flag and blue text.

5 Q If you'll turn back to that representation
6 of the mark in blue and yellow. Next to the last
7 page. Jeff, have you got 7?

2:24PM

8 A I do.

9 Q I want you to compare -- if you'll look at
10 Exhibit 7, which is your application, and go back
11 to the representations of the mark on the goods
12 like the license plate or the pin. Go to pin.
13 That's the easiest one. Okay. You have that?

2:25PM

14 A Yes.

15 Q Is there any difference between the
16 representation of the mark in the Patriot Guard
17 Rider, Inc. application and the pin in your
18 application? Do you see any differences in those
19 two?

2:26PM

20 A Nothing appreciable.

2:26PM

21 Q Is there a difference in the wording on the
22 pin?

23 A On the pin it says Patriot Guard Rider.
24 And on the other one it says Patriot Guard
25 Riders.

2:26PM

1 Q Is the logo on this pin, aside from that
2 difference in the plural of rider, is it the same
3 as the description of the mark in the PGR, Inc.
4 application?

2:27PM

5 A Yes.

2:27PM

6 Q Now we talked before we broke for lunch
7 about the fact that the T-shirts shown in the PGR
8 application were produced for Sturgis in 2006 and
9 that the PGR application showing first use of the
10 mark in November of 2005 these -- these shirts
11 were not in production in 2005?

2:28PM

12 A No.

13 Q Okay. Go to the second application filed
14 by the PGR. Is it 23?

15 MR. O'MALLEY: To the extent that this
16 is involved in your alleged fraud claim, I'm
17 going to object to that as it's in violation of
18 the TTAB's order. I don't remember the exact
19 date, but I can find it out. That was involved
20 in our Motion to Strike.

2:29PM

21 MS. BLUE: Okay.

22 Q (Ms. Blue) Now, Jeff, this is an
23 application filed by the PGR on January 29th,
24 2008. And the serial number on it is 77383586.
25 This is a trademark for what we call a word mark,

2:29PM

2:30PM

1 Patriot Guard Riders. Let's look at the
2 specimens, which are the pictures of the goods
3 involved in that mark. Going back kind of toward
4 the last pages of this exhibit. And I see that
5 in these specimens that the goods have Patriot
6 Guard Riders, plural, but that otherwise the mark
7 is the same as the one that appears on the
8 specimens in your application. Is that right?

2:30PM

2:31PM

9 A Yes.

10 Q Okay.

2:31PM

11 A With the exception of "Standing For Those
12 Who Stood For Us" rather than "Riding With
13 Respect."

14 Q Okay. If you saw someone wearing a hat or
15 a pin with this logo on it, would you think that
16 they were somehow sponsored by the PGR?

2:31PM

17 A Well, I would think they were certainly
18 associated with the PGR. I don't know if
19 sponsored would be the right word.

20 Q If you were not a member of the PGR and you
21 saw this mark, would you be confused by it?

2:32PM

22 A I would assume it was the same
23 organization.

24 MR. O'MALLEY: Objection. Speculation.

25 Q (Ms. Blue) All right. Do you believe that

2:32PM

1 there are similarities between this mark and the
2 one that appears on your original specimens?

2:32PM

3 A Yes.

4 Q Are they appreciable?

5 A Are the similarities appreciable?

2:32PM

6 Q Uh-huh.

7 A Yes.

8 Q I'm looking at the hat that you have on
9 today, which aside from the slogan Standing For
10 Those Who Stood For Us, appears to me to be
11 almost the same other than the plural of riders.

2:33PM

12 A Yes.

13 Q or plural of rider. I'm sorry?

14 MR. O'MALLEY: objection. You're
15 testifying.

2:33PM

16 MS. BLUE: Okay.

17 Q (Ms. Blue) Jeff, this is Exhibit 24. It's
18 a printout from the Patent and Trademark Office
19 search system. would you read to me what it
20 says -- there's a line about halfway down the
21 page that says word mark. Can you read that to
22 me?

2:35PM

23 A Michigan Patriot Guard Rides with Respect.

24 Q Can you look down at the -- you have to go
25 to -- I need to find it now. The owner of that

2:35PM

1 mark. It's a little farther down the page.

2:35PM

2 A Michigan Patriot Guard Corporation,
3 Michigan, 2915 South Cambridge Road, Lansing,
4 Michigan 48911.

5 Q Okay. Do you see any similarity between
6 that mark and the specimens that appeared in your
7 trademark application, which is Exhibit 7?

2:36PM

8 A Yes.

9 Q Tell me what those are.

10 A Well, they're using the same folded flag,
11 they're using Patriot Guard, and "Rides With
12 Respect" instead of "Riding With Respect."

2:36PM

13 Q Looking at that mark would you be confused
14 about who was offering goods that -- on which
15 that mark appeared?

2:36PM

16 A Yes.

17 Q Did Michigan Patriot Guard Corporation ask
18 your permission to file this mark?

19 A No.

20 Q Do you know anything about this
21 application?

2:36PM

22 A No.

23 Q So you don't know whether or not they had
24 any permission from PGR, Inc. --

25 A No, I don't.

2:37PM

1 Q -- to file this application?

2:37PM

2 Okay. This is Exhibit 25. It's another
3 printout from Patent and Trademark Office
4 website. If you'll go down to word mark and read
5 to me what it says there?

2:38PM

6 A Nevada Patriot Guard, Battle Born Nevada
7 36.

8 Q And is there an image right above that word
9 mark?

10 A Yes.

2:38PM

11 Q Do you see any similarities between that
12 image and the image that appears on your
13 specimens from Exhibit 7?

14 A Yes.

15 Q What are they?

2:38PM

16 A They're using the same yellow and blue
17 color, and they're using the term Patriot Guard.

18 Q Okay. If you go down to the description of
19 the mark on that application, would you read
20 that, please?

2:38PM

21 A The colors yellow, blue is/are claimed as a
22 feature of the mark. The mark consists of the
23 outline of the state -- or outline of the patch
24 is the geographical outline of Nevada. Nevada
25 state flag in the middle is the patch. The

2:39PM

2:39PM

2:39PM

2:39PM

2:40PM

2:40PM

2:40PM

1 Nevada state flag is cobalt blue. In the upper
2 left-hand corner are two sprays of sagebrush, the
3 Nevada state flower, in a semi-circular design.
4 Above the sprays is the state name Nevada, a
5 Spanish word for snowclad as a --
6 Q Okay. You can stop there. If you saw this
7 image on a hat or a T-shirt, what would your
8 impression be?
9 A That it was part of the Patriot Guard
10 Riders.
11 Q Did you authorize this application to be
12 filed?
13 A I did not.
14 Q Did you know anything about it before
15 today?
16 A No.
17 Q Do you object to this application?
18 A I do.
19 Q If you'd go back to Exhibit 24 for a
20 minute. Do you object to that application?
21 A I do.
22 Q Do you know why the state organizations
23 would file applications like this?
24 A Are we talking about these applications?
25 Q 24 and 25.

1 A Trademark applications?

2:40PM

2 Q Yeah, Exhibits 24 and 25.

3 A I'm assuming --

4 MR. O'MALLEY: Objection. Speculation.

5 Q (Ms. Blue) Tell me if you know why they
6 filed applications?

2:40PM

7 A No, I don't know why.

8 Q Do you know whether or not PGR, Inc.
9 authorized the filing of these applications?

10 A I don't know as a fact.

2:41PM

11 Q Do you know whether or not PGR, Inc. has
12 taken any action with regard to these
13 applications?

14 A No.

15 Q Do you know whether PGR, Inc. takes any
16 action with regard to anyone other than the
17 national organization utilizing the mark?

2:41PM

18 A No.

19 Q Do you know whether the Michigan chapter
20 asked PGR, Inc. if they could put that trademark
21 on anything?

2:41PM

22 A No, I don't.

23 Q When you were -- were the President of the
24 PGR did you allow individual states to put marks
25 on things without your permission?

2:42PM

1 A No.

2:42PM

2 Q If you found out about it, what did you do?

3 A I don't think I ever heard of a state doing
4 that.

5 Q Okay. What would you have done?

2:42PM

6 MR. O'MALLEY: Objection. Speculation.

7 Q (Ms. Blue) You can answer.

8 A I'm sorry?

9 Q You can answer.

10 A I would have contacted them and told them,
11 no, you're not -- this is not something you're
12 going to do.

2:42PM

13 Q Is that consistent with the action you took
14 when anyone asked you about using the mark?

15 A Yes.

2:42PM

16 Q Do you know if the PGR has any kind of
17 written program that -- or guidelines as to the
18 use of the PGR --

19 A No, I don't.

20 Q -- mark?

2:42PM

21 A No.

22 MS. BLUE: This one has been previously
23 produced as Respondent's 3. But I think just in
24 keeping with what we're trying to do, let's do a
25 new sticker on it.

2:43PM

1 MR. O'MALLEY: I agree.

2:43PM

2 MS. BLUE: And it will be 26 I think.

3 MR. O'MALLEY: I think it will be

4 cleaner that way.

5 MS. BLUE: Yeah, I do, too.

2:43PM

6 Q (Ms. Blue) This is going to be Exhibit 26.

7 It's an e-mail exchange that's been previously

8 produced between you and Raymond and Pam Russell

9 it looks like. I want you to flip to the second

10 page of this. And go to about the middle of the

2:44PM

11 page with the paragraph beginning, I told you.

12 A Okay.

13 Q Go ahead and read that for us.

14 A I told you I had something in the works

15 that would take about 30 days. As you may know,

2:45PM

16 back when I started Twister's PGR -- Twister's

17 Store, a PGR member, who is an attorney,

18 contacted me and said he would handle the

19 trademark issues pro bono. Over the next year we

20 worked on it, and I assumed it had all been

2:45PM

21 completed. When Wallin staged his coup he did a

22 search for the trademark to discover that all but

23 the final step had been done. He immediately

24 copied my logo and filed it as his trademark

25 under the PGR, Inc. My attorney got the final

2:45PM

1 step done about 30 minutes later. The initial
2 step in the trademark process looks at one thing,
3 the time of filing; therefore, the initial award
4 was tagged to be given to the PGR unless there is
5 any opposition. Anyone who believes they have a
6 claim to that trademark can file an opposition to
7 the award. The Trademark Commission will hear
8 the case and render a judgment. It's just like a
9 trial and is very expensive.

2:45PM

2:46PM

10 My attorney has filed for and received a
11 30-day extension on the opposition and sent a
12 letter to the PGR attorney and Board of Directors
13 advising them that we would be filing opposition.
14 This was done in an effort to reach mediation
15 before it goes to opposition and both sides spend
16 a lot of money with attorneys that could be used
17 elsewhere.

2:46PM

2:46PM

18 Q Okay. Let's stop there for a minute.

19 Who are Raymond and Pam Russell?

20 A I don't know. They are PGR members, or
21 were at that time.

2:46PM

22 Q Okay. Why would you have written this
23 e-mail to them? If you remember.

24 A In response to an e-mail they had sent to
25 me.

2:47PM

1 Q When you are talking to them in this
2 paragraph about the filing of the trademarks at
3 that time what was your understanding of the
4 filing process? As best you know.

2:47PM

5 MR. O'MALLEY: Which time frame are you
6 asking about here?

2:48PM

7 MS. BLUE: At the time this e-mail was
8 sent.

9 MR. O'MALLEY: At the time of this
10 e-mail?

2:48PM

11 MS. BLUE: Uh-huh. Which is
12 December 5th, 2007.

13 A That you file some paperwork and you sent
14 samples of what you had created and the Trademark
15 Board said, yes, you have a trademark or, no, you
16 don't.

2:48PM

17 Q (Ms. Blue) Was it your understanding that
18 the first person to file a trademark application
19 at the USPTO was its owner?

20 A It was my impression that that carried some
21 weight, but it wasn't necessarily the ultimate
22 factor.

2:48PM

23 Q Okay. All right. Let's go on down here to
24 the next paragraph beginning wallin did a bunch
25 of wrong. And if you'll read through that

2:49PM

1 maybe -- well, through that last bullet point.

2:49PM

2 A Wallin did a bunch of wrong in his filing,
3 and my attorney tells me there's no way they can
4 win if it goes to opposition. First, and most
5 obvious, is that I created the organization, the
6 name and the logo and have all the documentation
7 to prove it.

2:49PM

8 When you file a trademark application you
9 must attest that you are not aware of anyone else
10 using that trademark. Wallin knew that I had
11 been using the trademark for over a year. This
12 constitutes filing a fraudulent application and
13 is a very serious issue with the Commission.

2:49PM

14 Wallin filed it using the original "Riding
15 with Respect" and all their products have
16 "Standing For Those Who Stood For Us."

2:50PM

17 Wallin filed it under PGR, Inc., which was
18 not even a legal association at the time of the
19 filing.

20 In the opposition stage more important than
21 filing date is first commercial use. I can prove
22 that I was using the name and logo commercially
23 for over a year before Wallin's filing.

2:50PM

24 Wallin filed only one application basically
25 for use as an association name. We filed for

2:50PM

1 that and in addition a list of products for sale
2 to support the trademark.

2:50PM

3 Q Is that still today an accurate description
4 of your understanding of the process?

5 A Yes.

2:50PM

6 Q Jeff, do you know why members of PGR feel
7 that you are not entitled to this trademark?

8 A I think -- not all members feel that way.
9 I think most of whom feel that way do so because
10 that's what they've been told.

2:51PM

11 MR. O'MALLEY: Objection. Speculation.

12 A That the majority of them don't know the
13 background and have no idea who I am, and they've
14 been told that the marks belong to PGR.

15 Q (Ms. Blue) Has anyone in the membership
16 ever expressed to you that it was inappropriate
17 for you to own a store that sold merchandise with
18 PGR's name on it?

2:52PM

19 A Yes.

20 Q And tell me what's been expressed to you.

2:52PM

21 A Well, Ronny Awtry believes that the marks
22 and the store should belong to the PGR. There
23 are others who believe just the opposite. So it
24 just depends on, you know -- and I can't think of
25 anyone else right offhand, a specific instance of

2:53PM

1 someone that has said I shouldn't. Bonnie
2 Cutler.

2:53PM

3 Q Is the objection based on your making money
4 from the sale of these goods?

5 A I think that's part of it. I think part of
6 it is just get Jeff Brown in the instance of
7 Bonnie Cutler.

2:53PM

8 Q Are you aware of any objection to any other
9 company making money on the sale of PGR goods?

10 A I'm not --

2:54PM

11 Q Let me break that down for you a little
12 bit.

13 Has PGR sold its own goods with these
14 trademarks on it?

15 A Yes.

2:54PM

16 Q And have you objected to those sales? Let
17 me rephrase that.

18 A Yeah.

19 Q Do you object to PGR's use of --

20 A Oh, absolutely.

2:54PM

21 Q -- the trademark on merchandise?

22 A Yes.

23 Q Does PGR, Inc. make the merchandise itself
24 or do they outsource to a vendor?

25 A They outsource it.

2:54PM

1 Q Do you know whether those vendors make any
2 profit from the merchandise?

2:55PM

3 A I'm positive they do.

4 Q Do you know whether or not the PGR is given
5 all of the proceeds from the sale of that
6 merchandise?

2:55PM

7 A No.

8 Q When you started the organization were
9 there members who understood that you owned the
10 store personally?

2:55PM

11 A When I started the organization there was
12 no store. Once the products started being
13 produced, then, yes, there were people who knew I
14 owned the store.

15 Q Was that ever expressed to you?

2:55PM

16 A Was?

17 Q By members. Were there members who said,
18 yes, I understood you owned the store?

19 MR. O'MALLEY: Objection. Calls for
20 hearsay.

2:56PM

21 A I don't know. I can't recall of an
22 instance where someone said that to me
23 particularly or -- but I can't think of an
24 instance when anyone would have.

25 Q (Ms. Blue) Okay. This looks to be an

2:56PM

1 e-mail from someone named Ugly Troll to you.

2:56PM

2 MR. O'MALLEY: Again, this is a document
3 we have not seen as far as I know because there's
4 no Bates stamp number on it.

5 MS. BLUE: Okay. You know, Jim, if
6 you'd like with these documents -- I think
7 they've been produced earlier.

2:57PM

8 MR. O'MALLEY: That's fine. I don't
9 know the answer to it offhand so --

10 MS. BLUE: I understand. I understand
11 what you're saying. But in the event that we
12 cannot go back and verify that, would you like an
13 opportunity to consider them, and you can prepare
14 for your cross a little more later and we can --
15 we can agree that you can do a cross on these
16 later?

2:57PM

17 MR. O'MALLEY: Later meaning?

18 MS. BLUE: Later either during the rest
19 of our testimony period or outside of it if you
20 want to.

2:57PM

21 MR. O'MALLEY: Sure.

22 MS. BLUE: Okay.

23 MR. O'MALLEY: That would be fine.

24 MS. BLUE: Okay.

25 MR. O'MALLEY: Still going to raise the

2:57PM

1 objection at the time.

2:57PM

2 MS. BLUE: That's fine. No, that's
3 fine.

4 Q (Ms. Blue) Jeff, go down toward the bottom
5 of this e-mail. And if you'll kind of -- there's
6 a sentence that begins the whole point of this is
7 just to let you know.

2:58PM

8 A Okay.

9 Q Can you find that?

10 A Yeah.

2:58PM

11 Q Can you read that and then the next two
12 sentences to us?

13 A The whole point of this is just to let you
14 know you have at least one supporter out here. I
15 have -- it looks like the e-mail is cut off a
16 little bit here. I have something for example
17 since the first day -- I have known for example.

2:58PM

18 MR. O'MALLEY: Objection. Speculation.

19 A I have "own" for example since the first
20 day I joined that your store was for profit. I
21 never felt this was a secret or that you made
22 "ny" attempt to deceive anyone. I don't
23 understand how anyone could possibly think
24 otherwise. As far as I can tell, you have "ays"
25 been above board and straight with people.

2:58PM

2:59PM

1 MS. BLUE: All right. And I think we
2 can all agree that this is -- could have been a
3 better copy, but those words are probably known,
4 any and always given the context.

2:59PM

5 Q (Ms. Blue) So is this person expressing to
6 you that they understood you operated a store for
7 profit?

2:59PM

8 A Yes.

9 MS. BLUE: I take your objection --

10 MR. O'MALLEY: All right. Objection
11 noted.

3:00PM

12 MS. BLUE: -- and give the same offer
13 that you can have an opportunity to cross on
14 these.

15 MR. O'MALLEY: Sure.

3:00PM

16 MS. BLUE: Okay.

17 Q (Ms. Blue) Jeff, this is an e-mail dated
18 March 27th, 2007, after you resigned as President
19 of the PGR. And the e-mail appears to -- or
20 maybe -- perhaps it's a post because it has a
21 March 27, 2007, date on it. There's someone
22 named Smith that appears to have signed it. And
23 he appears to be a Missouri ride captain.

3:01PM

24 Do you know who that is?

25 A Not right offhand.

3:01PM

1 Q Let's go to the middle of that post
2 beginning with the sentence at least.

3:01PM

3 A At least with Twister's store we knew who
4 owned the "re." As far as donations from
5 Twister, it seems we have a conflict there. He
6 says last month; you say last year.

3:01PM

7 Q Okay. That's enough. Is this someone else
8 who appears to understand that he knew you owned
9 the store?

10 A Yes.

3:02PM

11 MR. O'MALLEY: Objection. Speculation.

12 MS. BLUE: Okay. It will speak for
13 itself.

14 Q (Ms. Blue) All right. We have here
15 Exhibit 29. E-mail between Ed -- or someone
16 named EBaker1954 to a number of people.

3:03PM

17 MR. O'MALLEY: I'd like to get my same
18 objection in now.

19 MS. BLUE: Okay. That's fine.

20 Q (Ms. Blue) It starts almost at the very --
21 it's the last -- or sentence before the last one
22 on that page beginning way. And we have the same
23 problems; it's not a great copy. The sentence
24 begins way. And I think we can probably assume
25 that that next word is back. Would you read that

3:03PM

3:03PM

1 in?

3:03PM

2 MR. O'MALLEY: I'm sorry, where? I'm
3 not sure where you are.

4 A Next to the last?

5 MS. BLUE: All the way down at the end
6 of the page.

3:03PM

7 MR. O'MALLEY: Okay. Got you.

8 A Way back before the crap hit the fan I knew
9 that the store was a private enterprise. And
10 Jeff never hid that part. He was upfront that it
11 was there to help support the PGR in its
12 endeavors.

3:03PM

13 Q (Ms. Blue) Okay. That's enough. Thank
14 you.

15 Does this person appear to be expressing
16 the opinion that he understood the store was a
17 private enterprise?

3:04PM

18 A Yes.

19 MS. BLUE: Just about done here I think.
20 Let's take a quick break.

3:04PM

21 *(Following a short recess at 3:04*
22 *p.m., proceedings continued on the Record at 3:29*
23 *p.m.)*

24 Q (Ms. Blue) Jeff, I've just given you
25 Exhibit 30, which I will tell you I just went

3:29PM

1 into my office and printed from the Patent and
2 Trademark Office website.

3:29PM

3 MS. BLUE: Jim, if you want to
4 object, --

5 MR. O'MALLEY: I'm okay with this one.

3:30PM

6 MS. BLUE: -- you can, but you probably
7 are aware with this one and are familiar with it.

8 MR. O'MALLEY: Yep.

9 Q (Ms. Blue) Jeff, this is the specimen that
10 was filed in August of 2007 in the Patriot Guard
11 Riders, Inc. application that we've been talking
12 about as Exhibit 21. Tell me what's in this
13 picture.

3:30PM

14 A Well, it appears to be a jacket or a vest
15 with several pins and/or buttons. And one of
16 them is the Patriot Rider -- what I call a rider
17 lapel pin.

3:30PM

18 Q Okay. Look at the drawing page of that
19 application, which is the colored --

20 A And that's application?

3:31PM

21 Q This is Exhibit 21.

22 A 21.

23 MR. O'MALLEY: I'd like to object to the
24 extent that this relates to any possible fraud
25 claim as being in violation of the Court's

3:31PM

1 order -- not court's -- TTAB's order.

3:31PM

2 Q (Ms. Blue) Do you see any differences
3 between the lapel pin and the color image?

4 A Again, the word "riders" rather than
5 "rider." And the photograph is in black and
6 white so I don't know for sure what colors they
7 are, but it appears to be the lapel pin that I
8 produce, which would make it the yellow and blue
9 and white.

3:31PM

10 Q Okay. Was the PGR, Inc. using that lapel
11 pin on June 1st, 2006?

3:32PM

12 A No.

13 Q Were you using that lapel pin -- were you
14 using the mark Patriot Guard Rider as it's
15 portrayed in this photograph on June 9th, 2006?

3:32PM

16 A Yes.

17 Q Jeff, this is Exhibit 31. It's been
18 produced previously. It's got a Bates stamp in
19 the bottom corner. And this appears to be a
20 series of posts on the PGR website; is that
21 correct?

3:34PM

22 A I would assume so.

23 Q I want you to look at the post at the
24 bottom of the page. Is that a post from you --

25 A Yes.

3:34PM

1 Q -- regarding the PGR online store?

3:34PM

2 Would you read that first paragraph to us,
3 please.

4 A A couple of people have asked about having
5 a friend offer to duplicate some of our stuff for
6 free to help the cause. Our PGR name and log
7 (verbatim) is copyrighted for a reason. The
8 revenue generated from the sale of PGR products
9 enables us to operate this site and continue to
10 grow the organization without any dues, donations
11 or fees. We also have other plans down the road.

3:35PM

3:35PM

12 Q You use the word copyrighted in this. Is
13 the logo the subject of the copyright
14 application?

15 A No.

3:35PM

16 Q Did you use that word correctly in this
17 post?

18 A Apparently not.

19 Q What did you mean when you said our PGR
20 name and log -- I'm going to assume that's a
21 typo --

3:35PM

22 A Logo.

23 Q -- and means logo. What did you mean here?

24 A Just that it was protected. That it was
25 private property, and you can't just go use it.

3:36PM

1 Q Okay.

3:36PM

2 MS. BLUE: I think I'm done.

3 MR. O'MALLEY: Okay.

4 MS. BLUE: Okay.

5 MR. O'MALLEY: All right.

3:36PM

6 MS. BLUE: Let's adjourn for today and
7 see everybody at 8:30 tomorrow.

8 MR. O'MALLEY: Sounds good.

9 *(Whereupon, the deposition was*
10 *concluded at 3:36 p.m. to resume at 8:30 April*
11 *7th, 2011.)*

3:36PM

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SIGNATURE PAGE

I, JEFF BROWN, do hereby certify that the foregoing deposition was presented to me by Nichole M. Myers as a true and correct transcript of the proceedings in the above styled and numbered cause, and I now sign the same as true and correct.

April WITNESS my hand this 25 day of April, 2011.

JEFF BROWN

SUBSCRIBED AND SWORN TO before me this 25th day of April, 2011.

Diane Morick
Notary Public

My Commission Expires:

11-25-2013



C E R T I F I C A T E

State of Oklahoma }
County of Tulsa } ss

I, Nichole M. Myers, a Certified
Shorthand Reporter within and for Tulsa County,
State of Oklahoma, do hereby certify that the
above named witness was by me first duly sworn to
testify the truth, the whole truth and nothing
but the truth in the case aforesaid, and that I
reported in stenograph his trial deposition; that
my stenograph notes were thereafter transcribed
and reduced to typewritten form under my
supervision, as the same appears herein.

I further certify that the foregoing
127 pages contain a full, true and correct
transcript of the deposition taken at such time
and place.

I further certify that I am not
attorney for or relative to either of said
parties, or otherwise interested in the event of
said action.

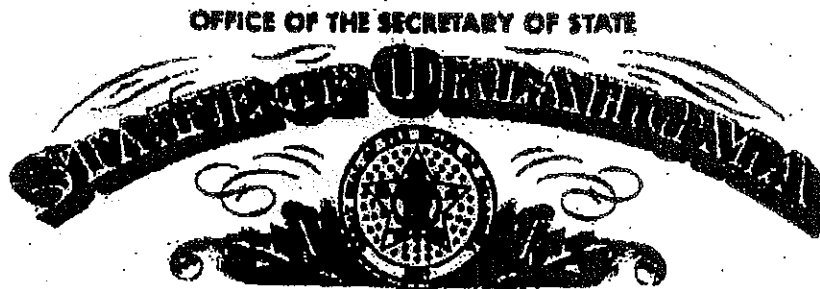
WITNESS MY HAND AND SEAL this 12th day
of April, 2011.

Nichole M. Myers
NICHOLE M. MYERS, RPR
CSR NO. 1704

Nichole Marie Myers
Oklahoma Certified Shorthand Reporter
Certificate No. 1704

Exp. Date: December 31, 2011

EXHIBIT 1



**NOT FOR PROFIT
CERTIFICATE OF INCORPORATION**

WHEREAS, the Not For Profit Certificate of Incorporation of

PATRIOT GUARD RIDERS, INC.

has been filed in the office of the Secretary of State as provided by the laws of the State of Oklahoma.

NOW THEREFORE, I, the undersigned, Secretary of State of the State of Oklahoma, by virtue of the powers vested in me by law, do hereby issue this certificate evidencing such filing.

IN TESTIMONY WHEREOF, I herewith set my hand and cause to be affixed the Great Seal of the State of Oklahoma.



*Filed in the city of Oklahoma City this
21st day of February, 2006.*

M. Lizan Savage

Secretary of State

PGR 000685



OKLA. JMA Secretary of State Electronic Filing

The name of the corporation is:
PATRIOT GUARD RIDERS, INC.

This nonprofit corporation is organized and operated exclusively for charitable purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

This corporation does not have authority to issue capital stock.

This corporation is not for profit, and as such the corporation does not afford pecuniary gain, incidentally or otherwise, to its members.

Effective Date:

Perpetual

Agent Name
Jeffrey A Brown
Address
8321 S. 8th Street
Broken Arrow, OK 74011 USA

Name	Title
Jeffrey A. Brown	Incorporator
Address	
8321 S. 8th Street	
Broken Arrow, OK 74011 USA	

Name	Title
Kurt Mayer	Incorporator
Address	
14830 Santa Lucia Drive	
Houston, TX 77083 USA	

Name	Title
Jason Wallin	Incorporator
Address	
312 Granite Court	
Windsor, CO 80550 USA	

PGR 000686

Name
Jeffrey A Brown
Address
8321 S. 6th Street
Broken Arrow, OK 74011 USA

Title
Director

Name
Kurt Mayer
Address
14830 Santa Lucia Drive
Houston, TX 77083 USA

Title
Director

Name
Jason Wallin
Address
312 Granite Court
Windsor, CO 80550 USA

Title
Director

The Number of Directors to be Elected at the First Meeting: 3

File Label
Additional language

File Name and Path
G:\Paula\WPD\OK\FORMS\Additional Language.pdf

I hereby certify that the information provided on this form is true and correct to the best of my knowledge and by attaching the signature I agree and understand that the typed electronic signature shall have the same legal effect as an original signature and is being accepted as my original signature pursuant to the Oklahoma Uniform Electronic Transactions Act, Title 12A Okla. Statutes Section 15-101, et seq.

Dated - 2/21/2006

Corporation Name

Signature Name
Jeffrey A. Brown
Kurt Mayer
Jason Wallin

Title
President
Secretary
Treasurer

[End Of Image]

PGR 000687

BYLAWS OF PATRIOT GUARD RIDERS, INC.

ARTICLE ONE OFFICES

The principal office of the corporation, hereinafter referred to as the "Corporation", shall be located at the address set forth in the Articles of Incorporation. The Corporation may have such other offices, either within or without the State of Incorporation, as the Board of Directors may determine from time to time.

ARTICLE TWO MEMBERSHIP

The Corporation shall have only one (1) class of membership, the Board of Directors, which shall be voting members.

ARTICLE THREE BOARD OF TRUSTEES

Section 1. General Powers. The affairs of the Corporation shall be managed by the Board of Directors whose members shall have a fiduciary obligation to the Corporation.

Section 2. Number, Term, and Qualifications. The number of Directors shall be no less than three (3) and no greater than five (5). The term of membership shall be for continuous one (1) year periods, unless removed. Those set forth in the original Articles of Incorporation shall comprise the original Board of Directors.

Section 3. Regular Meetings. A regular annual meeting of the Board of Directors shall be held each year, or more frequently as the Board of Directors may determine. The Board of Directors may provide, by resolution, the time and place for holding additional regular meetings without other notice than such resolution. Additional regular meetings shall be held at the principal office of the Corporation in the absence of any designation in the resolution.

Section 4. Special Meetings. Special meetings of the Board of Directors may be called by or at the request of any two (2) Directors, and shall be held at the principal office of the Corporation or at such other place as the Directors may determine.

BYLAWS-1

PGR 000688

Section 5. Notice Notice of the annual, regular or any special meeting of the Board of Directors shall be given by oral notice to each Director. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. The business to be transacted at the meeting need not be specified in the notice or waiver of notice of such meeting, unless specifically required herein or by law.

Section 6. Quorum A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board; but if less than a majority of the Directors are present at any meeting, a majority of the Directors present may adjourn the meeting from time to time without further notice.

Section 7. Board Decisions The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or by these Bylaws.

Section 8. Vacancies, Additions, Elections and Removal Any vacancy occurring in the Board of Directors and any directorship to be filled by reason of an increase in the number of Directors, shall be filled by a two-third (2/3) majority vote of the Board of Directors. Directors shall be removed by a two-third (2/3) majority vote of the Board of Directors.

Section 9. Compensation Directors, as such, shall not receive any salaries for their services.

ARTICLE FOUR OFFICERS

Section 1. Officers The officers of the corporation shall be a president, a secretary, a treasurer, one or more vice-presidents and such other officers as may be elected in accordance with the provisions of this Article. The Board of Directors may elect or appoint such other officers, including one or more assistant secretaries and one or more assistant treasurers, as it shall deem desirable, such officers to have the authority and perform the duties prescribed, from time to time, by the Board of Directors. Any two or more offices may be held by the same person.

Section 2. Election and Term of Office The officers of the Corporation shall be elected annually by the Board of Directors at the regular annual meeting of the Board of Directors. If the election of officers is not held at such meeting, such election shall be held as soon thereafter as is convenient. New offices may be created and filled at any meeting of the Board of Directors. Each officer shall hold office until his successor has been duly elected and qualified.

BYLAWS-2

PGR 000689

Section 3. Removal. Any officer elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interests of the Corporation would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the officer so removed.

Section 4. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification, or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.

Section 5. Powers of Officers.

(a) The President: The President shall be the chief executive officer of the Corporation. He shall be a continuing member of the Board of Directors. He shall have general management of the business of the Corporation and have general supervision of the other officers. He shall preside at all meetings of the Board of Directors and see that all orders and resolutions of the Board are carried into effect, subject, however, to the right of the Board to delegate to any other officer or officers of the Corporation any specific powers, other than those that may be conferred only upon the President. He shall execute in the name of the corporation all deeds, bonds, mortgages, contracts, and other documents authorized by the Board of Directors. He shall be ex-officio a member of all standing committees, and shall have the general powers and duties of supervision and management usually vested in the office of president of a corporation.

No person shall be invited to speak or teach at a meeting held by the Corporation without his approval. He shall be designated attorney-in-fact for the Corporation by virtue of his office. He shall have the authority to appoint and approve any assistants that would be necessary to properly carry on the work of the Corporation.

(b) Vice-President: The vice-president shall perform the duties and exercise the powers of the president in case of his temporary absence from the office of the Corporation, and shall perform such other duties as may from time to time be granted or imposed by the Board of Directors. He shall serve as an ex-officio member of the Board of Advisors; however, in the event of serving as president, he shall be a voting member of the Board of Advisors.

(c) The Secretary: The secretary shall attend all sessions of the Board held at the office of the Corporation and act as clerk thereof and record all votes and the minutes of all proceedings in a book to be kept for that purpose. He shall perform like duties for the executive and standing committees when required. He shall give, or cause to be given, notice of meetings of the Board of Directors when notice is required to be given under these Bylaws or by any resolution of the Board. He shall have custody of the seal to all authorized documents requiring a seal. He shall keep the membership rolls of the Corporation, and in general perform the duties usually incident to the office of secretary, and such further duties as shall from time to time be prescribed by the Board of Directors or the president.

BYLAWS-3

PGR 000690

(d) *The Treasurer: The treasurer shall keep full and accurate account of the receipts and disbursements in books belonging to the Corporation, and shall deposit all moneys and other valuable effects in the name and to the credit of the Corporation in such banks and depositories as may be designated by the Board of Directors, but shall not be personally liable for the safekeeping of any funds or securities so deposited pursuant to the order of the Board. He shall disburse the funds of the Corporation as may be ordered by the Board and shall render to the president and Directors at the regular meeting of the Board, and whenever they may require, accounts of all transactions as treasurer and of the financial condition of the Corporation. He shall perform the duties usually incident to the office of treasurer and such other duties as may be prescribed by the Board of Directors or by the president.*

(e) *Delegating Powers to Other Officers: In case of the absence of any officer of the Corporation, or for any other reason that may seem sufficient to the Board, the Board of Directors may delegate his duties and powers for the time being to any other officer, or to any Director.*

ARTICLE FIVE COMMITTEES AND BOARD OF ADVISORS

Section 1. Committees of Directors. The Board of Directors, by resolution adopted by a majority of the Directors in office, may designate one or more committees, which committees, to the extent provided in such resolution, shall have and exercise the authority of the Board of Directors in the management of the Corporation; but the designation of such committees and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual Directors, of any responsibility imposed on it or him by law.

Section 2. Other Committees. Other committees not having and exercising the authority of the Board of Directors in the management of the Corporation may be designated by a resolution adopted by a majority of the Directors present at a meeting at which a quorum is present. The President shall appoint the members thereof. Any member thereof may be removed by the President whenever in his judgment the best interest of the Corporation shall be served by such removal.

Section 3. Board of Advisors. A Board of Advisors may be appointed as set forth below. It shall be the responsibility and privilege of the Board of Advisors to provide counsel to the president and the Board of Directors. Counsel shall be in organizational, financial, legal or other areas wherein the president determines professional counsel is needed and/or desirable. No minimum or maximum number of members of the Board of Advisors shall be established and the appointment to the Board of Advisors and tenure thereon shall be at the pleasure and in the complete discretion of the president.

BYLAWS-4

PGR 000691

ARTICLE SIX CONTRACTS, CHECKS, DEPOSITS, AND FUNDS

Section 1. Contracts. The Board of Directors may authorize any officer or officers, agent or agents of the Corporation, in addition to the officers so authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or may be confined to specific instances.

Section 2. Checks, Drafts or Orders. All checks, drafts, or orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the Corporation shall be signed by such officer or officers, agent or agents of the Corporation, and in such manner as shall from time to time be determined by resolution of the Board of Directors. In the absence of such determination by the Board of Directors, such instruments may be signed by either the treasurer or the President of the Corporation. The President of the Corporation shall be permitted to authorize execution of checks, drafts, or orders in the amount of \$1,500.00 or less without prior approval of the Board of Directors.

Section 3. Deposits. All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies, or other depositories as the Board of Directors may select.

Section 4. Gifts. The Board of Directors may accept on behalf of the Corporation any contribution, gift, bequest or devise for any purpose of the Corporation.

ARTICLE SEVEN BOOKS AND RECORDS

The Corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, Board of Directors, committees having and exercising any of the authority of the Board of Directors, and any other committee, and shall keep at the principal office a record giving the names and addresses of the Board of Directors members entitled to vote. All books and records of the Corporation may be inspected at any reasonable time.

ARTICLE EIGHT FISCAL YEAR

The fiscal year of the Corporation shall be the calendar year.

BYLAWS-5

PGR 000692

ARTICLE NINE DISSOLUTION

Upon the dissolution of the Corporation, the Board of Directors shall, after the payment of all the liabilities of the Corporation, dispose of all of the assets of the Corporation exclusively for the purposes of the Corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious or scientific purposes as shall qualify as an exempt corporation or organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, (or by the corresponding section of any future Revenue Code of the United States of America) or (b) by a corporation, contributions of which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, as amended (or the corresponding section of any future United States Revenue Law).

ARTICLE TEN INUREMENT

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, its members, officers, Directors, or any person except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered. Notwithstanding any other provisions of the Articles of Incorporation or these Bylaws of the Corporation, the corporation shall not carry on any activity not permitted to be carried on by (a) a corporation exempt from Federal Income Tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (or by the corresponding section of any future Revenue Code of the United States of America), or (b) a corporation contributions of which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, as amended (or corresponding section of any future United States Revenue Law).

ARTICLE ELEVEN CONFLICT OF INTEREST

Any director, officer, or key employee who has an interest in a contract, salary negotiation, or other transaction presented to the Board of Directors or a committee thereof for authorization, approval, or ratification shall make a prompt and full disclosure of his interest to the Board of Directors or committee prior to its acting on such contract or transaction. Such disclosure shall include any relevant and material facts known to such person about the contract or transaction which might reasonably be construed to be adverse to the corporation's interest.

The body to which such disclosure is made shall thereupon determine, by a vote of seventy-five (75%) of the votes entitled to vote, whether the disclosure shows that a conflict of interest exists or can reasonably be construed to exist. If a conflict is deemed to exist, such person shall not vote on, nor exert his personal influence regarding, nor participate in (other than to present factual

BYLAWS-6

PGR 000693

information or to respond to questions) the discussions or deliberations with respect to such contract or transaction. Such person may be counted in determining whether a quorum is present but may not be counted when the Board of Directors or a committee of the Board takes action on the transaction. The minutes of the meeting shall reflect the disclosure made, the vote thereon, the abstention from voting and participation (where applicable), and whether a quorum was present.

ARTICLE TWELVE SEAL

The Board of Directors shall provide a corporate seal, which shall be as set forth below.

ARTICLE THIRTEEN AMENDMENT OF BYLAWS

These Bylaws may be altered, amended, or repealed, and new bylaws may be adopted by a two-thirds (2/3) majority vote of the Board of Directors at any regular or special meeting of the Board of Directors. At least seven (7) day written advance notice of said meeting shall be given to each member of the Board of Directors.

PATRIOT GUARD RIDERS, INC.

(SEAL)


Jeffrey A. Brown/President

02/24/02 PM
C:\Patriot\9770-Patriot\9770-01

BYLAWS-7

PGR 000694

EXHIBIT 2

- FAX 10th 20-434 6624

WINTERS, KING & ASSOCIATES, INC.

ATTORNEYS AND COUNSELORS AT LAW

2448 EAST 81ST STREET, SUITE 5900

TULSA, OKLAHOMA 74137-4259

TELEPHONE (918) 494-6868

FAX (918) 491-6297

THOMAS J. WINTERS

MICHAEL J. KING

J. DANIEL BEIRUTE

M. JEAN HOLMES

KAREN L. KING

JERRY L. GUNTER

RONALD M. FRALEY

S. GREG PITTMAN

March 13, 2006

Jeffrey A. Brown
PATRIOT GUARD RIDERS, INC.
8321 S 8TH St
Broken Arrow OK 74011

Re: Corporate Book

Dear Mr. Brown:

Enclosed you will find your corporate book. Inside the book are some special instructions for your consideration. You will notice that there are two (2) last pages to your Bylaws. Please execute your signature on each page, place the corporate seal on both copies, and return one copy to my office. I trust the remainder of the instructions are self-explanatory.

If you have any questions in the meantime, please do not hesitate to contact me or my secretary, Paula McKnight.

Sincerely Yours,

By: *Paula McKnight*

Thomas J. Winters

TJW/pjs

Enclosures

mailed
3/28/06

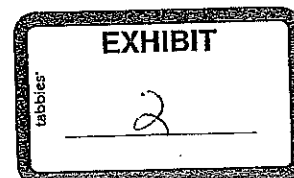


EXHIBIT 3

WINTERS, KING & ASSOCIATES, INC.

2448 EAST 81ST STREET, SUITE 5900
TULSA, OKLAHOMA 74137-4259
(918) 494-6868

February 28, 2006

Invoice No. 123138
Our File No. B03005-00000 TJW
Billing Through: 2/28/06

JEFFREY A. BROWN
PATRIOT GUARD RIDERS, INC.
8321 S. 8TH STREET
BROKEN ARROW, OK 74011

Prepaid cash balance carried forward \$420.00

FOR PROFESSIONAL SERVICES RENDERED

2/21/06	Attorney fee to prepare Articles of Incorporation, Bylaws and minutes of the first meeting; prepare corporate book and seal; prepare and file application for federal exemption with the Internal Revenue Service. Discounted from \$2,000 -per TJW.	0.00 hrs	275 / hr	1,500.00
Total fees for this matter		0.00 hrs		<u>\$1,500.00</u>

DISBURSEMENTS

2/21/06	Corporate Book and Seal	75.00
2/21/06	IRS filing fee	500.00
2/21/06	State filing fee	26.00
Total disbursements for this matter		<u>\$601.00</u>

BILLING SUMMARY

TOTAL FEES	\$1,500.00
TOTAL DISBURSEMENTS	<u>\$601.00</u>
TOTAL CHARGES FOR THIS BILL	\$2,101.00
LESS PREPAID CASH APPLIED	<u>(\$420.00)</u>
TOTAL BALANCE NOW DUE	<u><u>\$1,681.00</u></u>

Trust Account Remaining Balance is \$75.00



#1034
\$1681.00
PGR Store #1034

EXHIBIT 4

Jon Tatum <jon@tatumassociates.cc> wrote:

Ed:

Jeff's store had nothing to do with the non-profit corporation. The non-profit didn't even exist for most of the time that Jeff had the store. There may have been a short period that Jeff was selling product while the non-profit was in existence but I'm not sure what those dates would have been. He operated the store as a Sole Proprietor for tax purposes. I never prepared Jeff's tax returns so I can't say how that was handled. The attorney is correct with the assumptions below however the timing is what would hold up in court and with the IRS. Hope this helps.

Let me know if you have any other questions. I'm always glad to help.

Jon Tatum

Tatum & Associates, Inc.
2000 Malloy Ln, Ste 130-140
Franklin, TN 37067

Mail to: jon@tatumassociates.cc
(615) 300-1549 Voice
(615) 599-1560 Fax

From: Ed Mueller [mailto:wescot2@yahoo.com]
Sent: Tuesday, September 25, 2007 9:09 AM
To: Jon Tatum
Subject: Your Position on a matter

Hi Jon,

I have spoke to Ronny Awtry about how Jeff ran his store, and he assured me that both you, and our Attorney stated, that Jeff's way was preferable, and that the IRS would have no problem with it.

Below is a communication which I have received from another member, who sought the opinion of another lawyer (I have removed the lawyers name) Please read what she opines, and let me know your thoughts on this.

Letter follows

Patriot Guard Riders, Inc.

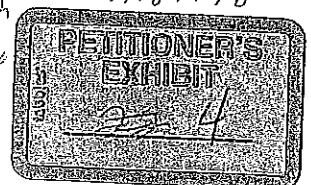
In Re: Non-Profit Self Dealing Rules

Dear Board of Directors:

I have been asked to provide your organization with my opinion concerning possible matters of self-dealing in your organization which could jeopardize PGR's tax exempt status with the IRS. I provide this opinion based on my past experience with nonprofit organizations and knowledge of the IRS rules and regulations concerning tax exempt entities.

I have been provided information about the Patriot Guard Riders, Inc. (PGR) and its connection to a for-profit entity, PGR Store, LLC (store). According to my information PGR was only permitted to obtain merchandise from the store. Members were linked to the store from the PGR web-site to purchase PGR gear, patches and supplies. It is my further understanding that the owner of the store was a board member of PGR. I understand that he has since been removed from that position.

The IRS does not tolerate self-dealing in nonprofit organizations. This premise is central to the tax-exempt statute which specifically states that "Corporations, and any community chest, fund, or foundation, organized and operated exclusively for religious, charitable ... no part of the net earnings



9/30/2008

PGR 003047

EXHIBIT 5

Blue, Rachel

From: Jeff [jeffbrown@valornet.com]
Sent: Sunday, May 02, 2010 9:05 PM
To: Blue, Rachel
Subject: FW: Banned from PGR Website

-----Original Message-----

From: Jeff Brown [mailto:jeffbrown@valornet.com]
Sent: Wednesday, August 15, 2007 11:14 AM
To: Exec
Subject: Banned from PGR Website

To PGR Executive Board:

I have been informed by Neal Heupel that my access to the PGR website has been removed, not by an individual, but apparently by a board decision. Please correct me if this is misinformation.

I have not posted anything negative in any open forums for families to see, nor have I been a party to any such postings. I have not abused my membership rights in any way of which I am aware. Any communications from me regarding concerns with the PGR and or its leadership have been sent in private emails directly to PGR leadership and those "in the loop".

Please advise me as to the grounds for my ban and what modifications in my behavior you'd have me make to restore my access to the organization I founded.

With all due respect,
Jeff Brown

No virus found in this outgoing message.

Checked by AVG Free Edition.

Version: 7.5.476 / Virus Database: 269.11.19/953 - Release Date: 8/14/2007
5:19 PM

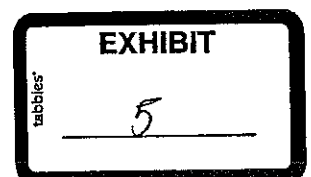


EXHIBIT 6

Lattimer, Betsy M.

From: Jeff Brown [jeffbrown@valornet.com]
Sent: Wednesday, November 22, 2006 9:16 PM
To: John Jacobs
Subject: RE: Assistance

John,

This was posted before my phone meeting with Snap and Ronny. The attorney referenced is the one who set up the 501c3 corp.. Your thoughts on his advice? Since I've heard nothing back from Snap, I'm thinking the board will veto the proposal and feel that they will merely begin use of the logo in their own store. As I understand it, they will outsource the store. Rather than attacking the PGR what would you feel about the strategy of my filing suit against the outsource company for copyright infringement when this happens?

Additionally, just a thought, since I paid the attorney who did the 501c3 work out of my pocket, wouldn't this be a conflict of interest?

Thanks,
Jeff

###

To the PGR,

The last 10 days have been rough. I feel as if I stepped in it bigtime when I said OK to this job. I've heard from most of you and I've listened to each one. I hope I can serve you well this year.

I want to point out that my term is for one year only, then my replacement will be elected by you, the real PGR, the members. More info on that to follow.

I would like to address some topics with you and the best way for my old mind is by the numbers. So here goes.

1) The PGR store; We are going to TRY and have the new store up by New Years Eve. It will sell all the items it does now and more. And ALL profit will go to the PGR. We are going to outsource this store so that no member will have his hands on it. It will be overseen by a committee of members.

2) Jeff Brown has no affiliation with PGR except as a member. he is being removed as President of the Corp . He will no longer be our registered agent in Oklahoma. That place will be filled by a law firm.

3) We have received advice from our attorney that we can retain and use our name and logo without restraint. If you want a new logo, let us know but we don't have to.

4) The 501C3 is being handled by the attorney, people who have donated will be able to use the tax deduction.

5) By Laws are being prepared by the attorney and will be posted as soon as completed.

6) Our accountant will have all funds reconciled to post within three weeks. They will be posted at that time.

There has been a lot of bile and contention out there this week, most of it justified. But we are trying. You are right, trust is earned and until it is I invite any member to call me (a LOT of you do) and question anything you feel needs clearing up.

Let's try for less anger and spite on the web. If you want to chew me out I would rather you did it on the phone than on the site. I want to do well but I need your help.

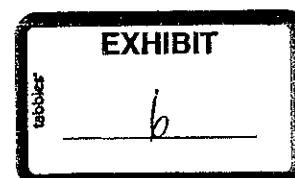
Thanks for listening

LLRB

Snap

ICVMC for PGR

09/10/2008



BROWN010220

EXHIBIT 7

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

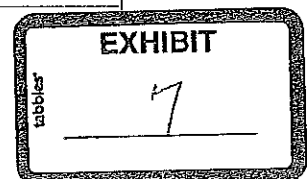
Serial Number: 77041061

Filing Date: 11/09/2006

NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	YES
MARK INFORMATION	
*MARK	PATRIOT GUARD RIDER
*STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	PATRIOT GUARD RIDER
*MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
APPLICANT INFORMATION	
*OWNER OF MARK	Brown, Jeff
*STREET	8321 S. 8th St.
*CITY	Broken Arrow
*STATE (Required for U.S. applicants)	Oklahoma
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	74801
PHONE	918-449-1652



EMAIL ADDRESS	jeffbrown@valornet.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	No
LEGAL ENTITY INFORMATION	
*TYPE	INDIVIDUAL
* COUNTRY OF CITIZENSHIP	United States
GOODS AND/OR SERVICES AND BASIS INFORMATION	
*INTERNATIONAL CLASS	006
*FIRST USE ANYWHERE DATE	At least as early as 10/27/2005
*FIRST USE IN COMMERCE DATE	At least as early as 11/09/2005
*DESCRIPTION	Metal license plates
*FILING BASIS	SECTION 1(a)
*FIRST USE ANYWHERE DATE	At least as early as 10/27/2005
*FIRST USE IN COMMERCE DATE	At least as early as 11/09/2005
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT2\IMAGEOUT2 \\770\410\77041061\xml1\FT K0003.JPG
SPECIMEN DESCRIPTION	Mark displayed by supporter at funeral of deceased member of the military
GOODS AND/OR SERVICES AND BASIS INFORMATION	
*INTERNATIONAL CLASS	014
*FIRST USE ANYWHERE DATE	At least as early as 10/27/2005
*FIRST USE IN COMMERCE DATE	At least as early as 11/09/2005
*DESCRIPTION	Ornamental pins
*FILING BASIS	SECTION 1(a)
*FIRST USE ANYWHERE DATE	At least as early as 10/27/2005
*FIRST USE IN COMMERCE DATE	At least as early as 11/09/2005
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT2\IMAGEOUT2 \\770\410\77041061\xml1\FT K0004.JPG
SPECIMEN DESCRIPTION	lapel pin
GOODS AND/OR SERVICES AND BASIS INFORMATION	
*INTERNATIONAL CLASS	024

*FIRST USE ANYWHERE DATE	At least as early as 10/27/2005
*FIRST USE IN COMMERCE DATE	At least as early as 11/09/2005
*DESCRIPTION	Cloth banners
*FILING BASIS	SECTION 1(a)
*FIRST USE ANYWHERE DATE	At least as early as 10/27/2005
*FIRST USE IN COMMERCE DATE	At least as early as 11/09/2005
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT2\IMAGEOUT2 \\770\410\77041061\xml1\FT K0005.JPG
SPECIMEN DESCRIPTION	motorcycle banner
*DESCRIPTION	Fabric flags
*FILING BASIS	SECTION 1(a)
*FIRST USE ANYWHERE DATE	At least as early as 10/27/2005
*FIRST USE IN COMMERCE DATE	At least as early as 11/09/2005
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT2\IMAGEOUT2 \\770\410\77041061\xml1\FT K0006.JPG
SPECIMEN DESCRIPTION	vehicle mounted flag
GOODS AND/OR SERVICES AND BASIS INFORMATION	
*INTERNATIONAL CLASS	025
*FIRST USE ANYWHERE DATE	At least as early as 10/27/2005
*FIRST USE IN COMMERCE DATE	At least as early as 11/09/2005
*DESCRIPTION	Hats
*FILING BASIS	SECTION 1(a)
*FIRST USE ANYWHERE DATE	At least as early as 10/27/2005
*FIRST USE IN COMMERCE DATE	At least as early as 11/09/2005
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT2\IMAGEOUT2 \\770\410\77041061\xml1\FT K0007.JPG
SPECIMEN DESCRIPTION	baseball-type cap
*DESCRIPTION	Short-sleeved or long-sleeved t-shirts
*FILING BASIS	SECTION 1(a)
*FIRST USE ANYWHERE DATE	At least as early as 10/27/2005

*FIRST USE IN COMMERCE DATE	At least as early as 11/09/2005
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT2\IMAGEOUT2 \\770\410\77041061\xml1\FT K0008.JPG
SPECIMEN DESCRIPTION	T-shirt
GOODS AND/OR SERVICES AND BASIS INFORMATION	
*INTERNATIONAL CLASS	026
*FIRST USE ANYWHERE DATE	At least as early as 10/27/2005
*FIRST USE IN COMMERCE DATE	At least as early as 11/09/2005
*DESCRIPTION	Embroidered patches for clothing
*FILING BASIS	SECTION 1(a)
*FIRST USE ANYWHERE DATE	At least as early as 10/27/2005
*FIRST USE IN COMMERCE DATE	At least as early as 11/09/2005
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT2\IMAGEOUT2 \\770\410\77041061\xml1\FT K0009.JPG
SPECIMEN DESCRIPTION	Embroidered patch
GOODS AND/OR SERVICES AND BASIS INFORMATION	
*INTERNATIONAL CLASS	035
*FIRST USE ANYWHERE DATE	At least as early as 10/27/2005
*FIRST USE IN COMMERCE DATE	At least as early as 11/09/2005
*DESCRIPTION	Association services, namely, promoting the interests of families of deceased military members and families of deceased veterans
*FILING BASIS	SECTION 1(a)
*FIRST USE ANYWHERE DATE	At least as early as 10/27/2005
*FIRST USE IN COMMERCE DATE	At least as early as 11/09/2005
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT2\IMAGEOUT2 \\770\410\77041061\xml1\FT K0010.JPG
SPECIMEN DESCRIPTION	Mark displayed by supporter at funeral of deceased member of the military
ADDITIONAL STATEMENTS INFORMATION	
*TRANSLATION (if applicable)	

*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*CONSENT (NAME/LIKENESS) (if applicable)	
*CONCURRENT USE CLAIM (if applicable)	
DISCLAIMER	No claim is made to the exclusive right to use RIDER apart from the mark as shown.
ATTORNEY INFORMATION	
NAME	John Jacobs
ATTORNEY DOCKET NUMBER	PGR
STREET	406 Beaumont Circle
CITY	West Chester
STATE	Pennsylvania
COUNTRY	United States
ZIP/POSTAL CODE	19380
PHONE	610.918.1595
EMAIL ADDRESS	mnjjacobs@gmail.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
CORRESPONDENCE INFORMATION	
*NAME	John Jacobs
*STREET	406 Beaumont Circle
* CITY	West Chester
* STATE (Required for U.S. applicants)	Pennsylvania
* COUNTRY	United States
* ZIP/POSTAL CODE (Required for U.S. applicants only)	19380
PHONE	610.918.1595

* EMAIL ADDRESS	mnjjacobs@gmail.com
* AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
NUMBER OF CLASSES	6
FEE PER CLASS	275
TOTAL FEE DUE	1650
SIGNATURE INFORMATION	
* SIGNATURE	/JABrown/
* SIGNATORY'S NAME	Jeff Brown
SIGNATORY'S POSITION	Executive Director
* DATE SIGNED	11/09/2006
FILING INFORMATION SECTION	
SUBMIT DATE	Thu Nov 09 22:44:06 EST 2006
TEAS STAMP	USPTO/FTK-69.30.154.108-2 0061109224406476609-77041 061-35091b65d3e3b66167b9e 649d542a568c6c-CC-1010-20 061109222524468247

PTO Form 1473 (Rev 9/2005)
 DAB No. 0051-0009 (Exp 09/30/2009)

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 77041061

Filing Date: 11/09/2006

To the Commissioner for Trademarks:
 MARK: PATRIOT GUARD RIDER (Standard Characters, see mark)

The literal element of the mark consists of PATRIOT GUARD RIDER. The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Jeff Brown, a citizen of United States, having an address of 8321 S. 8th St., Broken Arrow, Oklahoma, United States, 74801, requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 006: Metal license plates

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 014: Ornamental pins

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 024: Cloth banners; Fabric flags

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 025: Hats; Short-sleeved or long-sleeved t-shirts

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 026: Embroidered patches for clothing

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 035: Association services, namely, promoting the interests of families of deceased military members and families of deceased veterans

If the applicant is filing under Section 1(b), intent to use, the applicant declares that it has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(b), as amended.

If the applicant is filing under Section 1(a), actual use in commerce, the applicant declares that it is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

If the applicant is filing under Section 44(d), priority based on foreign application, the applicant declares that it has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services, and asserts a claim of priority based on a specified foreign application(s). 15 U.S.C. Section 1126(d), as amended.

If the applicant is filing under Section 44(e), foreign registration, the applicant declares that it has a bona

fide intention to use the mark in commerce on or in connection with the identified goods and/or services, and submits a copy of the supporting foreign registration(s), and translation thereof, if appropriate. 15 U.S.C. Section 1126(e), as amended.

No claim is made to the exclusive right to use RIDER apart from the mark as shown.

The applicant hereby appoints John Jacobs, 406 Beaumont Circle, West Chester, Pennsylvania, United States, 19380 to submit this application on behalf of the applicant. The attorney docket/reference number is PGR.

Correspondence Information: John Jacobs

406 Beaumont Circle
West Chester, Pennsylvania 19380
610.918.1595(phone)
mnjjacobs@gmail.com (authorized)

A fee payment in the amount of \$1650 will be submitted with the application, representing payment for 6 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /JABrown/ Date: 11/09/2006
Signatory's Name: Jeff Brown
Signatory's Position: Executive Director

RAM Sale Number: 1010
RAM Accounting Date: 11/13/2006

Serial Number: 77041061
Internet Transmission Date: Thu Nov 09 22:44:06 EST 2006
TEAS Stamp: USPTO/FTK-69.30.154.108-2006110922440647
6609-77041061-35091b65d3e3b66167b9e649d5
42a568c6c-CC-1010-20061109222524468247

PATRIOT GUARD RIDER

EXHIBIT 8

Jeff

From: Wallin Jason D. [jasonw@geoveritas.com]
Sent: Thursday, November 10, 2005 2:50 PM
To: Jeff Brown
Subject: RE: PGR

No problem just trying to help. If I ever get too pushy please tell me to pound sand

Jason Wallin, CISSP
John Deere Agri Services
Fort Collins, CO

970-266-4625
jasonw@geoveritas.com

-----Original Message-----

From: Jeff Brown [mailto:jeffbrown@valornet.com]
Sent: Thursday, November 10, 2005 1:41 PM
To: Wallin Jason D.
Subject: RE: PGR

Jason,
I already have a logo that I did...I used to be in that business also.
I
also already have a company working on patches, armbands and flags.
Thank
the guys for me, I'm sure we can avail ourselves of their offer down the road.
Thanks,
Jeff Brown "Twister"
Broken Arrow, OK

-----Original Message-----

From: Wallin Jason D. [mailto:jasonw@geoveritas.com]
Sent: Thursday, November 10, 2005 2:16 PM
To: Jeff Brown
Subject: RE: PGR

Hey I have a graphic artis friend that is sympathetic to our cause and has offered to design some logos for a website and patches should I explore that with him and if so what type of elements would you like to see in it?

Jason Wallin, CISSP
John Deere Agri Services
Fort Collins, CO

970-266-4625
jasonw@geoveritas.com

-----Original Message-----

From: Jeff Brown [mailto:jeffbrown@valornet.com]
Sent: Thursday, November 10, 2005 1:03 PM
To: Wallin Jason D.



Subject: RE: PGR

Excellent...thank you sir!
Jeff Brown "Twister"
Broken Arrow, OK

-----Original Message-----

From: Wallin Jason D. [mailto:jasonw@geoveritas.com]
Sent: Thursday, November 10, 2005 1:46 PM
To: Jeff Brown
Subject: RE: PGR

I would be Honored....

Jason Wallin, CISSP
John Deere Agri Services
Fort Collins, CO
970-266-4625
jasonw@geoveritas.com

-----Original Message-----

From: Jeff Brown [mailto:jeffbrown@valornet.com]
Sent: Thursday, November 10, 2005 12:07 PM
To: Wallin Jason D.
Subject: PGR

Jason,
I think it would be beneficial to set up state captains to coordinate the rides in their area (help determine meeting places, act as a liason between local law enforcement, families, and riders, etc.). What's your opinion, and would you be willing to act as Colorado State Captain?

Jeff Brown "Twister"
Broken Arrow, OK

No virus found in this incoming message.

Checked by AVG.

Version: 7.5.524 / Virus Database: 269.24.1/1470 - Release Date: 5/28/2008 7:20 AM

EXHIBIT 9

Jeff

From: Wallin Jason D. [jasonw@geoveritas.com]
Sent: Thursday, November 10, 2005 4:21 PM
To: Jeff Brown
Subject: RE: PGR Logo

FYI I threw up a placeholder @ www.patriotguard.org

Jason Wallin, CISSP
John Deere Agri Services
Fort Collins, CO

970-266-4625
jasonw@geoveritas.com

-----Original Message-----

From: Jeff Brown [mailto:jeffbrown@valornet.com]
Sent: Thursday, November 10, 2005 1:53 PM
To: William H. Sloan; Phil Mansker; Tom Connelly; Terry (Darkhorse)
Houck; Richard Keller; Eric C. Gagomiros; Preacher; Ralph and Susan;
LAnnnullins; Kay Guynes; Keith Calloway; Wallin Jason D.; Knaus Hugh;
Chuck Thompson; Wayne Worthington; David Olsen (STP); Craig Winkler;
Everett Freel; Combat Veterans Motorcycle Association; CREGG HANSEN;
Bill Carr; Bill Law; Bill Bradley
Subject: PGR Logo

Several people have asked about a Patriot Guard Riders patches, decals,
arm
bands flags, etc. I like the idea and believe it will enhance our
presence
at any service without taking anything from the other organizations you
may
belong to.
I have designed a logo that I think works very well for us. I am
working
with a company to produce the stuff and will send out more information
as it
becomes available.
Also, Jason Wallin from Colorado has graciously donated web hosting for
us
and I hope to have a website up soon. The domain name reserved is:
patriotguard.org

I've attached the logo.

Thanks,
Jeff Brown "Twister"
Broken Arrow, OK

No virus found in this incoming message.
Checked by AVG.
Version: 7.5.524 / Virus Database: 269.24.1/1470 - Release Date: 5/28/2008 7:20 AM

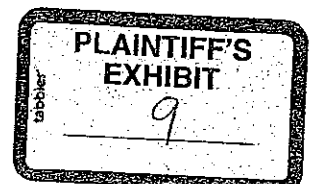
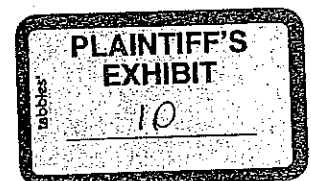


EXHIBIT 10

CF-462

#228135 Order united-states-flag-228135 for United-states-flag
Date Fri Dec 30 14:03:29 EDT 2005
Ship to Jeff Brown
 8321 South 8 St
 Broken Arrow OK 74011
 US United States
 918 449 1652
Business address no
Bill to Same
E-Mail jeffbrown@valomet.com
Via UPS Ground
Payment Visa
Comments Pled order Per JM request (Anna)

Item	Code	Qty	Unit Price
Custom Car Flag 11 x 14inch 2 color double sided Superknit Polyester http://store.yahoo.com/united-states-flag/cuf11x142co1.html (Shipped)	CUST1114HF_2_2	100	4.95
Custom Car Flag set up charge 11 x 14inch 2 color http://store.yahoo.com/united-states-flag/cuf1setupch15.html (Shipped)	CUST1114HF_2_SETUP	1	44.00
Subtotal			539.00
Shipping			10.31
Tax			0.00
Total			549.31



BROWN010325

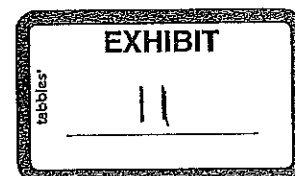
EXHIBIT 11

From: Rita Agcaoili [rita@promopeddler.com]
Sent: Monday, December 05, 2005 4:37 PM
To: jeffbrown@valornet.com
Cc: 'Debbie Bennett'
Subject: Jeff Brown Proof
Importance: High
Attachments: 13169 Proof.jpg

Jeff - Attached is the art proof for your order. Please review and if you approve email your reply a.s.a.p. Your order is on hold pending your approval. Production will not start on your order until we receive your approval back. If you disagree please mark any changes to the art proof and email back with your changes (voluntary changes to art may result in additional charges and delays).

Rita Agcaoili
Product Support Specialist
Phone: 503-783-1560 x 207
Fax: 415-598-2660
www.promopeddler.com
www.newideapromos.com
www.bagpeddler.com

10/10/2008



BROWN010277

ART APPROVAL

*Please check artwork carefully.
Fax back your approval or any changes.
A faxed confirmation is necessary to proceed.*

SEND TO: RITA

COMPANY: FROMOPEDDLER

DATE: 12/5/05

PHONE NUMBER: 503 783 1480 EXT 207

FAX NUMBER: 415 598 2660

PRODUCT DESCRIPTION: 4.5" ARM BAND

IMPRINT COLOR: BLACK

MATERIAL COLOR: FL YELLOW

Please check one of the following boxes:	
Proof approved as is. OK to produce.	<input type="checkbox"/>
Make noted changes, then proceed.	<input type="checkbox"/>
Make changes, then fax new proof.	<input type="checkbox"/>

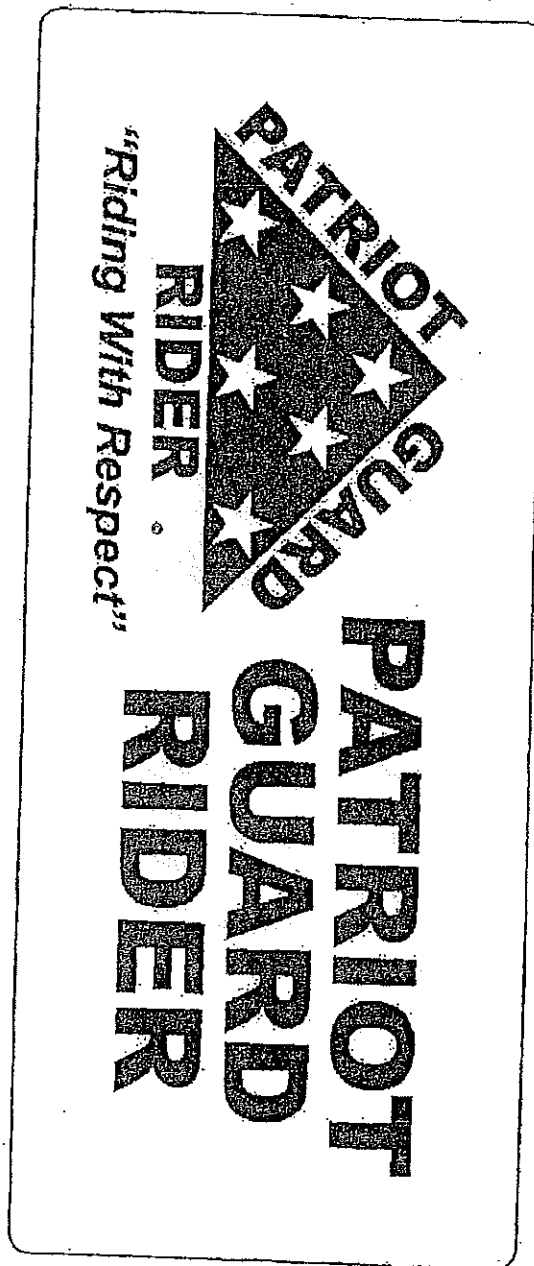
PRINT NAME: DATE:

SIGNATURE:

Important:

(Please note that the position of the artwork as shown may vary slightly in manufacturing.)

ARTWORK:



BROWN010278

From: psarracino [psarracino@americanpatch.com]
Sent: Friday, November 11, 2005 12:29 PM
To: Jeffbrown@valornet.com
Subject: Patch Confirmation
Follow Up Flag: Follow up
Flag Status: Flagged
Attachments: AP8483conf.pdf



American Patch
& Emblem Company

A DIVISION OF TMAC GROUP, INC.

P.O. BOX 142
VILLANOVA, PENNSYLVANIA 19085
(610) 240-9911
(800) 752-1667
(610) 240-9670 FAX

Attached, please find a copy of the confirmation for your recent order. Please review the same for accuracy, insert your credit card information, sign and fax back to our office at 610-240-9670 or email to sales@americanpatch.com.

Upon receipt we will immediately commence work on this order and will forward to you by fax or e-mail, either a computer rendering or an actual scan of a pre-production sample of your patch.

Only after your approval of the scan we will bill your credit card for the amount of your order.

Please be advised that the credit/debit card charge will appear on your statement showing a merchant name of "American Patch", "Petshirt.com" or our parent company "TMAC Group"

Thank you for your confidence in American Patch for we assure you that we will earn it now and always in the future.

10/10/2008

BROWN010279



American Patch
& Emblem Company

A DIVISION OF H&A CREATIONS, INC.

P.O. Box 142
Villanova, PA 19085
(610) 240-8911
(610) 240-9670 FAX

ORDER CONFIRMATION

DATE	CONF. #
11/11/2005	8483

BILL TO
Jeff Brown 8321 South 8th Street Broken Arrow, OK 74011

SHIP TO
Jeff Brown 8321 South 8th Street Broken Arrow, OK 74011

P.O. NUMBER	TERMS	REP	VIA	F.O.B.	PROJECT	EST. SHIP DATE
JB11112005	Credit Card		UPS	Villanova		3 Weeks

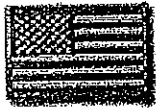
QUANTITY	ITEM CODE	DESCRIPTION	SIZE	PRICE EACH	AMOUNT
100	AP8483	AP8483 "Patriot Gaurd Rider" 3x2" rectangle, stitched edge, plastic backing	2.5"	1.46	146.00T
	Shipping	Shipping and Handling		8.00	8.00
		Out-of-state sales, exempt from sales tax		0.00%	0.00
Credit Card Type: Visa, Mastercard, American Express, Discover Number _____ Expiration Date _____ Name on card _____ Company (if Corporate or Business card) _____ Billing address for card _____ _____ _____ Cardholder signature _____					
Total				\$154.00	

Kindly review the order. Make any corrections and immediately fax signed copy to (610)240-9670

Approved _____

BROWN010280

From: Caitlin Chandler [cchandler@americanpatch.com]
Sent: Monday, November 14, 2005 9:55 AM
To: jeffbrown@valornet.com
Subject: Patriot Guard Rider pre-production patch scan
Attachments: ap8483-1.jpg



A DIVISION OF TMAC GROUP, INC.

**American Patch
& Emblem Company**

P.O. BOX 142
VILLANOVA, PENNSYLVANIA
19085
(610) 240-9911
(800) 752-1667
(610) 240-9670 FAX

Attached please find a scan of the pre-production sample patch we have manufactured in response to your recent order.

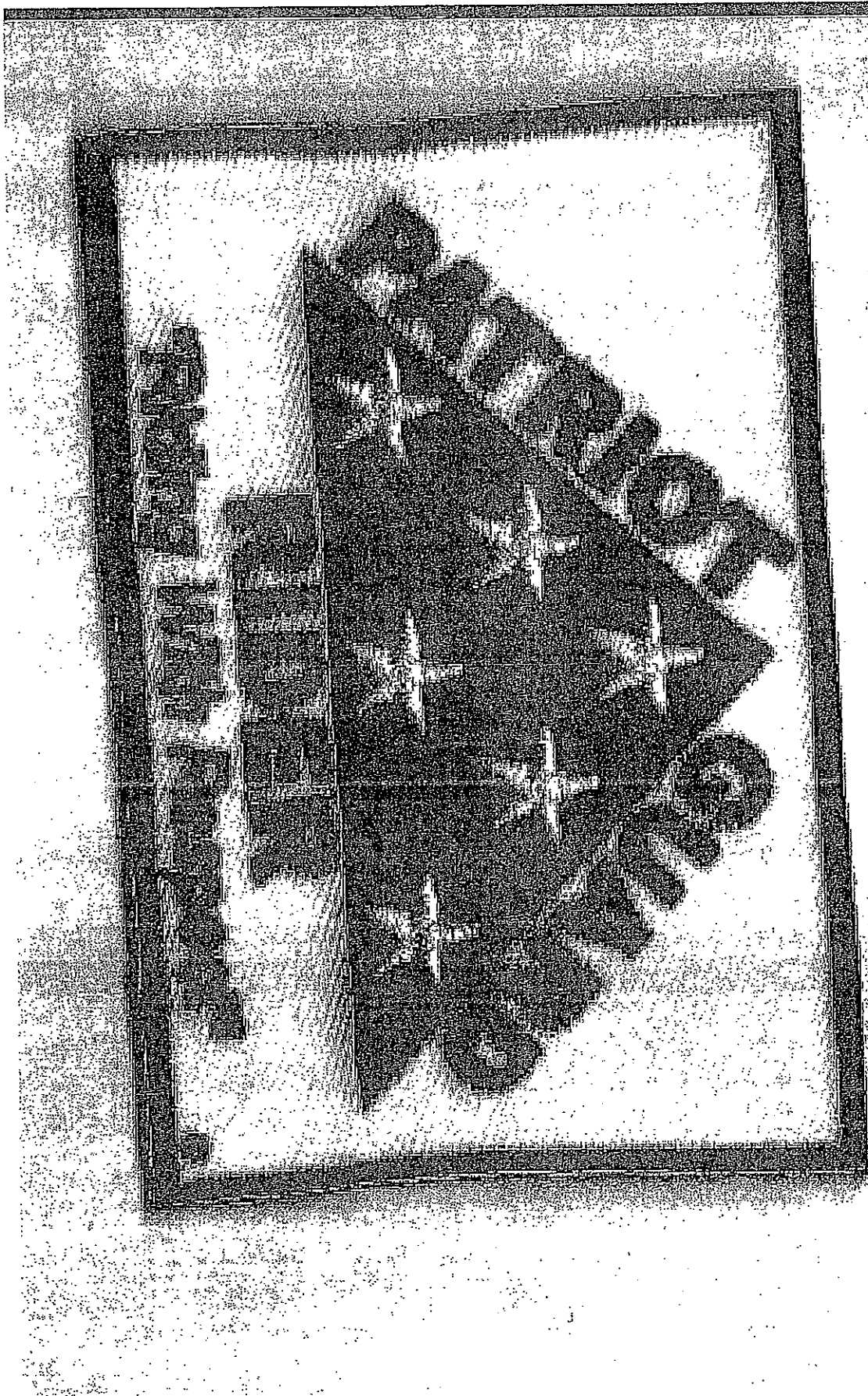
Please review the scan and advise our office of your approval by return e-mail and we will put the patch into production and ship your patches to you as soon as possible.

Very Truly Yours,

Caitlin Chandler
cchandler@americanpatch.com
800-752-1667

10/10/2008

BROWN010281



BROWN010282

From: Jeff Brown [jeffbrown@valornet.com]
Sent: Monday, December 12, 2005 2:22 PM
To: trophyase@tulsacoxmail.com
Subject: Patriot Guard Riders Plaques

Attachments: Memorial Plaque.jpg



Memorial Plaque.jpg
(79 KB)

Jim,
Here's just an idea I came up with. We need something as inexpensive as possible (since this is coming out of our pockets), but nice enough that the family would hang it. Additionally, I would need you to send it out to the various state captains as needed. so you need to build in shipping.
Currently there are about an average of 20 funerals a month, though not all of these will be PGR Mission Rides.

Thanks,
Jeff Brown "Twister"
Patriot Guard Riders
National Director
www.patriotguard.org

No virus found in this outgoing message.

Checked by AVG Free Edition.

Version: 7.5.503 / Virus Database: 269.15.33/1133 - Release Date: 11/15/2007
8:57 PM

On behalf of a grateful America
and the Patriot Guard Riders,
please accept our sincere
condolences on the tragic loss of

Pfc. John Smith

May your pain be tempered by the
knowledge that he is a true

American Hero



From: Debbie Bennett [dbennett@promopeddler.com]
Sent: Wednesday, November 09, 2005 11:11 AM
To: jeffbrown@valornet.com
Subject: Reflective armband

Jeff, I called the factory and got specifics for you. They do not come in true white it is a silver white.

Qty 500
\$2.95 each first color
\$45.00 set up for each color imprint
\$.15cents for additional colors

They will match as close as they can to the blue you want but do not pms match. Would you like me to write up an order form?
Please let me know if you have any more questions. Thank you for the opportunity, Debra.

Promopeddler.com
Debra Bennett
Account Manager
Phone: (800) 455-1350 ext. 231
Fax: (415) 598-2660
dbennett@promopeddler.com

Don't forget to sign up for our "BUYER'S CLUB" -- get 2000 points free

www.promotionbags.com www.promopeddler.com

***I AM NOT LOOKING FOR JUST A ONE TIME SALE I AM LOOKING FOR A LONG LASTING BUSINESS
RELATIONSHIP!***

10/10/2008

BROWN010285



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
1/19/2006	D11403

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price	
135	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt Two Color / One Location Imprint	4.28	577.80	
15	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt Two Color / One Location Imprint	5.28	79.20	
135	-2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts Two Color / One Location Imprint	6.75	911.25	
15	-2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts Two Color / One Location Imprint	7.75	116.25	
300	-LEFT CHEST	Two Color 3.5" Wide Left Chest	0.00	0.00	
1	-SETUP	Setup Charge	0.00	0.00	
1	-ART	Artwork Prep - No Charge	0.00	0.00	
1	-PROOF	Paper Proof	0.00	0.00	
100	-BX004	Navy/Mustard Big Accessories Sandwich Bill Hat Two Color / One Location Embroidery	7.00	700.00	
44	-BX004	Maroon/White Big Accessories Sandwich Bill Hat Two Color / One Location Embroidery	7.00	308.00	
144	-HAT FRONT	3" Wide Front Of Hat	0.00	0.00T	
1	-SETUP	Setup Charge	50.00	50.00	
1	-ART	Artwork Prep - No Charge	0.00	0.00	
1	-PROOF	Paper Proof	0.00	0.00	
1	-Freight	Freight Charges	161.11	161.11	
Deposit of 1400.00 paid by cc on 12/27/05. Balance of \$1503.61 paid with credit card on 1/23/06					
Thank you!			Subtotal		\$2,903.61
			Sales Tax (0.0%)		\$0.00
			Total		\$2,903.61
			Payments		\$-2,903.61
			Balance Due		\$0.00

BROWN010286



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
2/13/2006	D11574

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price	
10	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	5.28	52.80	
		Two Color / One Location Imprint			
10	-2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	7.75	77.50	
		Two Color / One Location Imprint			
20	-LEFT CHEST	Two Color 3.5" Wide Left Chest	0.00	0.00	
1	-SETUP	No Setup Charge	0.00	0.00	
		Reorder from PO # D11403			
1	-ART	Art on File	0.00	0.00	
1	-PROOF	No Paper Proof	0.00	0.00	
1	-Freight	Freight Charges	67.00	67.00	
Balance paid by cc on 2/15/06.					
Thank you!			Subtotal		\$197.30
			Sales Tax (0.0%)		\$0.00
			Total		\$197.30
			Payments		\$-197.30
			Balance Due		\$0.00

BROWN010287



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
2/15/2006	D11609

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price	
200	-BWTS	Navy/Mustard Big Accessories washed twill sandwich bill cap	5.99	1,198.00	
		Two Color / One Location Embroidery			
50	-BX004	Maroon/White Big Accessories Sandwich Bill Hat	5.99	299.50	
		Two Color / One Location Embroidery			
250	-emb	Embroidery - Run Charge	0.00	0.00	
		3" wide front of hat			
1	-SETUP	No Setup Charge	0.00	0.00	
		Reorder from PO# D11403			
		Redo Stitching for the Maroon Caps to have the flag blue			
1	-ART	Art on File	0.00	0.00	
1	-PROOF	Paper Proof	0.00	0.00	
42	-2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	6.75	283.50	
		Two Color / One Location Imprint			
35	-2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	7.75	271.25	
		Two Color / One Location Imprint			
96	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	4.28	410.88	
		Two Color / One Location Imprint			
34	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	5.28	179.52	
		Two Color / One Location Imprint			
207	-LEFT CHEST	Two Color 3.5" Wide Left Chest	0.00	0.00	
1	-SETUP	No Setup Charge	0.00	0.00	
		Reorder from PO # D11403			
1	-ART	Art on File	0.00	0.00	
1	-PROOF	Paper Proof	0.00	0.00	
1	-Freight	Freight Charges	124.59	124.59	
Balance paid by cc on 2/16/06.					
Thank you!			Subtotal	\$2,767.24	
			Sales Tax (0.0%)	\$0.00	
			Total	\$2,767.24	
			Payments	-\$2,767.24	
			Balance Due	\$0.00	

BROWN010288



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420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
3/13/2006	D11880

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

		P.O. No.	Terms	Rep
		J. Brown	NET 30	DK
Qty	Item No.	Description	Price Each	Extended Price
48	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	4.28	205.44
		Two Color / One Location Imprint		
26	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	5.28	137.28
		Two Color / One Location Imprint		
6	-2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	7.75	46.50
		Two Color / One Location Imprint		
80	-LEFT CHEST	Two Color 3.5" Wide Left Chest	0.00	0.00
1	-SETUP	No Setup Charge	0.00	0.00
		REORDER FROM PO # D11609		
		MAKE SURE GOLD IS CORRECT COLOR		
1	-ART	Art on File	0.00	0.00
1	-PROOF	No Paper Proof	0.00	0.00
1	-Freight	Freight Charges	29.00	29.00
Thank you!			Subtotal	\$418.22
			Sales Tax (0.0%)	\$0.00
			Total	\$418.22
			Payments	\$-418.22
			Balance Due	\$0.00

BROWN010289



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
4/4/2006	D12018

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	NET 30	DK
Qty	Item No.	Description	Price Each	Extended Price	
225	-BWTS	Navy/Mustard Big Accessories washed twill sandwich bill cap	5.99	1,347.75	
25	-BX004	Black/White Big Accessories Sandwich Bill Hat	5.99	149.75	
250	-emb	Embroidery - Run Charge	0.00	0.00	
		3" Wide Front of Hat			
1	-SETUP	No Setup Charge	0.00	0.00	
		Reorder from PO # D11609			
1	-ART	Art on File	0.00	0.00	
1	-PROOF	No Paper Proof	0.00	0.00	
	-Freight	Freight Charges	85.30	85.30	
Thank you!			Subtotal		\$1,582.80
			Sales Tax (0.0%)		\$0.00
			Total		\$1,582.80
			Payments		\$-1,582.80
			Balance Due		\$0.00

BROWN010290



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420 Treasure Drive
Oswego, IL 60543

1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
4/18/2006	D11995

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	NET 30	DK
Qty	Item No.	Description	Price Each	Extended Price	
50	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	4.28	214.00	
		Two Color / One Location Imprint			
50	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	5.28	264.00	
		Two Color / One Location Imprint			
100	-LEFT CHEST	Two Color 3.5" Wide Left Chest	0.00	0.00	
1	-SETUP	No Setup Charge	0.00	0.00	
		MAKE SURE GOLD IS CORRECT COLOR			
1	-ART	Art on File	0.00	0.00	
1	-PROOF	No Paper Proof	0.00	0.00	
	-Freight	Freight Charges	155.35	155.35	
Thank you!			Subtotal		\$633.35
			Sales Tax (0.0%)		\$0.00
			Total		\$633.35
			Payments		\$-633.35
			Balance Due		\$0.00

BROWN010291



420 Treasure Drive
Oswego, IL 60543

1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
4/25/2006	D12194

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

		P.O. No.	Terms	Rep
		J. Brown	NET 30	DK
Qty	Item No.	Description	Price Each	Extended Price
350	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	4.28	1,498.00
		Two Color / One Location Imprint		
150	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	5.28	792.00
		Two Color / One Location Imprint		
60	-2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	6.75	405.00
		Two Color / One Location Imprint		
560	-LEFT CHEST	Two Color 3.5" Wide Left Chest	0.00	0.00
1	-SETUP	No Setup Charge	0.00	0.00
		MAKE SURE GOLD IS CORRECT COLOR		
1	-ART	Art on File	0.00	0.00
1	-PROOF	No Paper Proof	0.00	0.00
225	-BWTS	Navy/Mustard Big Accessories washed twill sandwich bill cap	5.99	1,347.75
		Two Color/One Location Embroidery		
100	-BX004	Maroon/White Big Accessories Sandwich Bill Hat	5.99	599.00
		Three Color/One Location Embroidery		
325	-emb	Embroidery - Run Charge	0.00	0.00
		3" Wider Front of Hat		
1	-SETUP	No Setup Charge	0.00	0.00
1	-PROOF	No Paper Proof	0.00	0.00
1	-ART	Art on File	0.00	0.00
	-Freight	Freight Charges	259.63	259.63
Thank you!			Subtotal	\$4,901.38
			Sales Tax (0.0%)	\$0.00
			Total	\$4,901.38
			Payments	\$-4,901.38
			Balance Due	\$0.00

BROWN010292



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
5/8/2006	D12480

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	NET 30	DK
Qty	Item No.	Description	Price Each	Extended Price	
335	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	3.38	1,132.30	
		Two Color / One Location Imprint			
100	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	4.38	438.00	
		Two Color / One Location Imprint			
100	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	5.38	538.00	
		Two Color / One Location Imprint			
5	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	5.38	26.90	
		Two Color / One Location Imprint			
190	-2000	Ash Grey Gildan Ultra 100% Cotton Short Sleeve T-shirt	3.10	589.00	
		Three Color / One Location Imprint			
150	-2000	Ash Grey Gildan Ultra 100% Cotton Short Sleeve T-shirt	4.10	615.00	
		Three Color / One Location Imprint			
10	-2000	Ash Grey Gildan Ultra 100% Cotton Short Sleeve T-shirt	5.10	51.00	
		Three Color / One Location Imprint			
20	-2000	Ash Grey Gildan Ultra 100% Cotton Short Sleeve T-shirt	5.10	102.00	
		Three Color / One Location Imprint			
70	-2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	5.85	409.50	
		Two Color / One Location Imprint			
20	-2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	6.85	137.00	
		Two Color / One Location Imprint			
630	-LEFT CHEST	Two Color 3.5" Wide Left Chest	0.00	0.00	
370	-LEFT CHEST	Three Color 3.5" Wide Left Chest	0.00	0.00	
1	-SETUP	No Setup Charge	0.00	0.00	
		Reorder from PO # D12480 - Make New Screen for Grey Shirts			
1	-ART	Artwork Prep - No Charge	0.00	0.00	
1	-PROOF	Paper Proof	0.00	0.00	
1	-Freight	Freight Charges	256.00	256.00	
Thank you!			Subtotal		\$4,294.70
			Sales Tax (0.0%)		\$0.00
			Total		\$4,294.70
			Payments		\$-4,294.70
			Balance Due		\$0.00

BROWN010293



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
5/18/2006	D12493

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. brown	NET 30	DK
Qty	Item No.	Description	Price Each	Extended Price	
500	-BWTS	Navy/Mustard Big Accessories washed twill sandwich bill cap	5.99	2,995.00	
100	-BX004	Two Color / One Location Embroidery Maroon/White Big Accessories Sandwich Bill Hat	5.99	599.00	
600	-emb	Three Color / One Location Embroidery Embroidery - Run Charge	0.00	0.00	
1	-SETUP	3" Wide Front of Hat No Setup Charge	0.00	0.00	
1	-ART	reorder from PO # D12194 Art on File	0.00	0.00	
1	-PROOF	No Paper Proof	0.00	0.00	
	-Freight	Freight Charges	205.87	205.87	
Balance of \$3799.87 paid with check on 5/30/06.					
Thank you!			Subtotal		\$3,799.87
			Sales Tax (0.0%)		\$0.00
			Total		\$3,799.87
			Payments		\$-3,799.87
			Balance Due		\$0.00

BROWN010294



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
5/18/2006	D12318

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	NET 30	DK
Qty	Item No.	Description	Price Each	Extended Price	
230	-2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	5.85	1,345.50	
		Two Color / One Location Imprint			
120	-2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	6.85	822.00	
		Two Color / One Location Imprint			
20	-2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	7.85	157.00	
		Two Color / One Location Imprint			
440	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	3.38	1,487.20	
		Two Color / One Location Imprint			
200	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	4.38	876.00	
		Two Color / One Location Imprint			
30	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	5.38	161.40	
		Two Color / One Location Imprint			
1,040	-LEFT CHEST	Two Color 3.5" Wide Left Chest	0.00	0.00	
1	-SETUP	No Setup Charge	0.00	0.00	
		Reorder			
1	-ART	Art on File	0.00	0.00	
1	-PROOF	No Paper Proof	0.00	0.00	
	-Freight	Freight Charges	222.00	222.00	
Thank you!			Subtotal	\$5,071.10	
			Sales Tax (0.0%)	\$0.00	
			Total	\$5,071.10	
			Payments	\$-5,071.10	
			Balance Due	\$0.00	

BROWN010295



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
6/5/2006	D12539

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	NET 30	DK
Qty	Item No.	Description	Price Each	Extended Price	
500	-BWTS	Navy/Mustard Big Accessories washed twill sandwich bill cap	5.99	2,995.00	
500	-emb	Two Color / One Location Embroidery	0.00	0.00	
1	-SETUP	Embroidery - Run Charge	0.00	0.00	
1	-ART	3" Wide Front of Hat	0.00	0.00	
1	-PROOF	No Setup Charge	0.00	0.00	
1	-Freight	Reorder from PO # D12493	0.00	0.00	
		Art on File	0.00	0.00	
		No Paper Proof	0.00	0.00	
		Freight Charges	159.64	159.64	
Balance of \$3154.64 paid with check on 6/23/06.					
Thank you!			Subtotal	\$3,154.64	
			Sales Tax (0.0%)	\$0.00	
			Total	\$3,154.64	
			Payments	\$-3,154.64	
			Balance Due	\$0.00	

BROWN010296



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
6/16/2006	D12726

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	NET 30	DK
Qty	Item No.	Description	Price Each	Extended Price	
160	-2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	5.85	936.00	
		Two Color / One Location Imprint			
100	-2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	6.85	685.00	
		Two Color / One Location Imprint			
65	-2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	7.85	510.25	
		Two Color / One Location Imprint			
310	-LEFT CHEST	Two Color 3.5" Wide Left Chest	0.00	0.00	
1	-SETUP	No Setup Charge	0.00	0.00	
		Reorder from PO # D12580			
1	-ART	Art on File	0.00	0.00	
1	-PROOF	No Paper Proof	0.00	0.00	
1	-Freight	Freight Charges	95.00	95.00	
Thank you!			Subtotal	\$2,226.25	
			Sales Tax (0.0%)	\$0.00	
			Total	\$2,226.25	
			Payments	\$-2,226.25	
			Balance Due	\$0.00	

BROWN010297



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
6/30/2006	D12670

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	NET 30	DK
Qty	Item No.	Description	Price Each	Extended Price	
670	-2000	White Gildan Ultra 100% Cotton Short Sleeve T-shirt	2.78	1,862.60	
		Two Color Left Chest / Full Color Back			
220	-2000	White Gildan Ultra 100% Cotton Short Sleeve T-shirt	3.78	831.60	
		Two Color Left Chest / Full Color Back			
110	-2000	White Gildan Ultra 100% Cotton Short Sleeve T-shirt	4.78	525.80	
		Two Color Left Chest / Full Color Back			
1,000	-LEFT CHEST	Two Color 3.5" Wide Left Chest	0.00	0.00	
1,000	-FULL BACK	Full Color 11" Wide Full Back	0.00	0.00	
1	-SETUP	Setup Charge	0.00	0.00	
1	-ART	Artwork Prep - No Charge	0.00	0.00	
1	-PROOF	Paper Proof	0.00	0.00	
	-Freight	Freight Charges	223.00	223.00	
Balance of \$3443.00 paid with cc on 8/2/06.					
Thank you!			Subtotal		\$3,443.00
			Sales Tax (0.0%)		\$0.00
			Total		\$3,443.00
			Payments		\$-3,443.00
			Balance Due		\$0.00

BROWN010298



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
7/11/2006	D12955

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	NET 30	DK
Qty	Item No.	Description	Price Each	Extended Price	
125	-BX004	Maroon/White Big Accessories Sandwich Bill Hat	5.99	748.75	
125	-emb	Three Color / One Location Embroidery	0.00	0.00	
		Embroidery - Run Charge			
		3" Wide Front of Hat	0.00	0.00	
1	-SETUP	NO Setup Charge			
		Reorder from PO # D12807			
1	-ART	Art on File	0.00	0.00	
1	-PROOF	NO Paper Proof	0.00	0.00	
350	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	3.38	1,183.00	
		Two Color / One Location Imprint			
130	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	4.38	569.40	
		Two Color / One Location Imprint			
20	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	5.38	107.60	
		Two Color / One Location Imprint			
25	-2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	5.85	146.25	
		Two Color / One Location Imprint			
5	-2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	7.85	39.25	
		Two Color / One Location Imprint			
530	-LEFT CHEST	Two Color 3.5" Wide Left Chest	0.00	0.00	
1	-SETUP	No Setup Charge	0.00	0.00	
		Reorder from PO # D12580			
1	-ART	Art on File	0.00	0.00	
1	-PROOF	No Paper Proof	0.00	0.00	
	-Freight	Freight Charges	173.19	173.19	
Balance paid by check on 7/24/06.					
Thank you!			Subtotal	\$2,967.44	
			Sales Tax (0.0%)	\$0.00	
			Total	\$2,967.44	
			Payments	\$-2,967.44	
			Balance Due	\$0.00	

BROWN010299



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
7/17/2006	D12688

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	NET 30	DK
Qty	Item No.	Description	Price Each	Extended Price	
1,000	-BWTS	Navy/Mustard Big Accessories washed twill sandwich bill cap	5.29	5,290.00	
		Two Color / One Location Embroidery			
1,000	-emb	Embroidery - Run Charge	0.00	0.00	
		3" Wide Front of Hat			
1	-SETUP	No Setup Charge	0.00	0.00	
		reorder from PO # D12580			
1	-ART	Art on File	0.00	0.00	
1	-PROOF	No Paper Proof	0.00	0.00	
	-Freight	Freight Charges	113.00	113.00	
Balance of \$5403.00 paid with cc on 8/2/06.					
Thank you!			Subtotal		\$5,403.00
			Sales Tax (0.0%)		\$0.00
			Total		\$5,403.00
			Payments		\$-5,403.00
			Balance Due		\$0.00

BROWN010300



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
12/13/2006	D14803

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price	
70	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	3.38	236.60	
		Two Color / One Location Imprint			
10	-2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	5.38	53.80	
		Two Color / One Location Imprint			
10	-2000	Ash Grey Gildan Ultra 100% Cotton Short Sleeve T-shirt	5.10	51.00	
		Three Color / One Location Imprint			
10	-2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	5.85	58.50	
		Two Color / One Location Imprint			
90	-LEFT CHEST	Two Color 3.5" Wide Left Chest	0.00	0.00	
10	-LEFT CHEST	Three Color 3.5" Wide Left Chest	0.00	0.00	
1	-SETUP	NO Setup Charge	0.00	0.00	
		Reorder from PO # D14347			
1	-PROOF	NO Paper Proof	0.00	0.00	
	-Freight	Freight Charges	31.35	31.35	
FOLD ALL SHIRTS / LABEL BOXES WITH SIZES					
Balance of \$431.25 paid with cc on 12/14/06.					
Thank you!			Subtotal	\$431.25	
			Sales Tax (0.0%)	\$0.00	
			Total	\$431.25	
			Payments	\$-431.25	
			Balance Due	\$0.00	

BROWN010301



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
2/9/2007	D15249

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

		P.O. No.	Terms	Rep
		J. Brown	-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price
12	-2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	5.85	70.20
		Two Color / One Location Imprint		
11	-2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	7.85	86.35
		Two Color / One Location Imprint		
23	-LEFT CHEST	Two Color 3.5" Wide Left Chest	0.00	0.00
1	-SETUP	NO Setup Charge	0.00	0.00
		Reorder from PO # D14803		
1	-ART	Art on File	0.00	0.00
1	-PROOF	NO Paper Proof	0.00	0.00
12	-BX004	Stone/Navy Big Accessories Sandwich Bill Hat	5.99	71.88
		Three Color / One Location Embroidery		
100	-BX004	Maroon/White Big Accessories Sandwich Bill Hat	5.99	599.00
		Three Color / one Location Embroidery		
12	-BX004	Black/White Big Accessories Sandwich Bill Hat	5.99	71.88
		Three Color/ Two Location Embroidery		
		DESIGN 2 Reorder from PO # D14053		
124	-emb	Embroidery - Run Charge	0.00	0.00
		3" Wide Front of Cap		
12	-emb	Embroidery - Run Charge	0.00	0.00
		ON BLACK ONLY - NATIONAL CURVED ON BACK OF HAT		
1	-SETUP	NO Setup Charge	0.00	0.00
		Reorder from PO # D14053		
1	-ART	Art on File	0.00	0.00
1	-PROOF	NO Paper Proof	0.00	0.00
	-Freight	Freight Charges	72.22	72.22
Balance of \$971.53 paid with cc on 3/1/07.				
Thank you!			Subtotal	\$971.53
			Sales Tax (0.0%)	\$0.00
			Total	\$971.53
			Payments	\$-971.53
			Balance Due	\$0.00

BROWN010302



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
3/15/2007	D15596

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	NET 30	DK
Qty	Item No.	Description	Price Each	Extended Price	
4	2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt Two Color / One Location Imprint	3.38	13.52	
8	2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt Two Color / One Location Imprint	5.38	43.04	
12	2000	Ash Gildan Ultra 100% Cotton Short Sleeve T-shirt Three Color / One Location Imprint	3.10	37.20	
16	2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts Two Color / One Location Imprint	5.85	93.60	
8	2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts Two Color / One Location Imprint	7.85	62.80	
2	2000B	Navy Gildan Ultra 100% Cotton Youth Short Sleeve T-shirt Two Color / One Location Imprint	3.38	6.76	
2	2400B	Navy Youth Gildan Ultra Cotton Long Sleeve T-shirts Two Color/ One Location Imprint	5.85	11.70	
52	LEFT CHEST	Two Color 3.5" Wide Left Chest	0.00	0.00	
1	SETUP	No Setup Charge REORDER FROM PO # D15249	0.00	0.00	
1	ART	Art on File	0.00	0.00	
1	PROOF	No Paper Proof	0.00	0.00	
	FREIGHT	Freight	26.40	26.40	
Balance of \$295.02 paid with cc on 3/23/07.					
Thank you!			Subtotal		\$295.02
			Sales Tax (0.0%)		\$0.00
			Total		\$295.02
			Payments		\$-295.02
			Balance Due		\$0.00

BROWN010303



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
4/13/2007	D15933

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price	
50	BX004	Maroon/White Big Accessories Sandwich Bill Hat	5.99	299.50	
		Three Color / One Location Embroidery			
15	BX004	Black/White Big Accessories Sandwich Bill Hat	5.99	89.85	
		Three Color / Two Location Embroidery			
65	EMB	Embroidery - Run Charge	0.00	0.00	
		3" Wide Front of Cap			
15	EMB	Embroidery - Run Charge	0.00	0.00	
		ON BLACK ONLY - NATIONAL CURVED ON BACK OF HAT			
1	SETUP	NO Setup Charge	0.00	0.00	
		Reorder from PO# D15249B			
1	ART	Art on File	0.00	0.00	
1	PROOF	NO Paper Proof	0.00	0.00	
	FREIGHT	Freight	82.58	82.58	
Balance of \$471.93 paid with cc on 4/14/07.					
Thank you!			Subtotal	\$471.93	
			Sales Tax (0.0%)	\$0.00	
			Total	\$471.93	
			Payments	\$-471.93	
			Balance Due	\$0.00	

BROWN010304



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-6895

Invoice

Date	Invoice #
4/20/2007	D15968

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

David A. David
3010 Pecan Ridge Drive
Rowlett, TX 75088

		P.O. No.	Terms	Rep
		J. Brown	-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price
24	BX004	Stone/Navy Big Accessories Sandwich Bill Hat Three Color Front Embroidery / Three Color Sides Embroidery / One Color Personalized Back of Cap	15.99	383.76
24	EMB	Personalized Backs - Navy Blue Embroidery 2 Hats get: State Captain (arch around opening) 4 Hats get: Assistant State Captain (arch around opening) 18 Hats get: Deputy State Captain (arch around opening) Embroidery - Run Charge 3" Wide Front of Cap 2.5" Wide Both Sides of Cap (Texas Flag on each side) 3" Wide Arch over opening personalization	0.00	0.00
1	SETUP	Setup Charge	0.00	0.00
1	ART	Artwork Prep - No Charge	0.00	0.00
1	PROOF	Paper Proof	0.00	0.00
	FREIGHT	Freight	23.83	23.83
		Balance of \$407.59 paid with cc on 4/24/07.		
Thank you!			Subtotal	\$407.59
			Sales Tax (0.0%)	\$0.00
			Total	\$407.59
			Payments	\$-407.59
			Balance Due	\$0.00

BROWN010305



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
4/24/2007	D15938

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

David A. David
3010 Pecan Ridge Drive
Rowlett, TX 75088

			P.O. No.	Terms	Rep
			J. Brown	-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price	
58	2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	3.38	196.04	
		Two Color / One Location Imprint			
4	2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	6.38	25.52	
		Two Color / One Location Imprint			
80	2000	Ash Grey Gildan Ultra 100% Cotton Short Sleeve T-shirt	3.10	248.00	
		Three Color / One Location Imprint			
3	2000	Ash Grey Gildan Ultra 100% Cotton Short Sleeve T-shirt	5.10	15.30	
		Three Color / One Location Imprint			
8	2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	5.85	46.80	
		Two Color / One Location Imprint			
5	2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	6.85	34.25	
		Two Color / One Location Imprint			
5	2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	9.85	49.25	
		Two Color / ONE Location Imprint			
80	LEFT CHEST	Two Color 3.5" Wide Left Chest	0.00	0.00	
83	LEFT CHEST	Three Color 3.5" Wide Left Chest	0.00	0.00	
1	SETUP	NO Setup Charge	0.00	0.00	
		Reorder from PO # D14347			
1	ART	Art on File	0.00	0.00	
1	PROOF	NO Paper Proof	0.00	0.00	
	FREIGHT	Freight	71.00	71.00	
Balance of \$686.16 paid with cc on 4/25/07.					
Thank you!			Subtotal	\$686.16	
			Sales Tax (0.0%)	\$0.00	
			Total	\$686.16	
			Payments	\$-686.16	
			Balance Due	\$0.00	

BROWN010306



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
5/7/2007	D15701

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

		P.O. No.	Terms	Rep
		J. Brown	-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price
1,050	124	White Conformcal Helmet Decal 4" Wide Two Color / One Location Imprint	0.39	409.50
1	SETUP	Setup Charge	0.00	0.00
1	ART	Artwork Prep - No Charge	0.00	0.00
1	PROOF	Paper Proof	0.00	0.00
1	FREIGHT	Freight	19.75	19.75
Balance of \$429.25 paid with cc on 5/10/07.				
Thank you!			Subtotal	\$429.25
			Sales Tax (0.0%)	\$0.00
			Total	\$429.25
			Payments	\$-429.25
			Balance Due	\$0.00

BROWN010307



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420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
5/22/2007	D16428

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price	
100	BX004	Maroon/White Big Accessories Sandwich Bill Hat	5.99	599.00	
		Three Color / One Location Embroidery			
100	EMB	Embroidery - Run Charge	0.00	0.00	
		3" Wide Front of Cap			
1	SETUP	NO Setup Charge	0.00	0.00	
		REORDER FROM PO #D15933			
1	PROOF	Paper Proof	0.00	0.00	
1	ART	Art on File	0.00	0.00	
	FREIGHT	Freight	18.00	18.00	
Balance of \$617.00 paid with cc on 5/29/07.					
Thank you!			Subtotal		\$617.00
			Sales Tax (0.0%)		\$0.00
			Total		\$617.00
			Payments		\$-617.00
			Balance Due		\$0.00

BROWN010308



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
5/23/2007	D16069

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price	
3,150	2077	White Vinyl 3" x 3" Decal Back Adhesive	0.16	504.00	
		Two Color / One Location Imprint			
1	SETUP	Setup Charge	0.00	0.00	
1	ART	Artwork Prep - No Charge	0.00	0.00	
1	PROOF	Paper Proof	0.00	0.00	
	FREIGHT	Freight	19.63	19.63	
		Balance of \$523.63 paid with cc on 5/29/07.			
Thank you!			Subtotal		\$523.63
			Sales Tax (0.0%)		\$0.00
			Total		\$523.63
			Payments		\$-523.63
			Balance Due		\$0.00

BROWN010309



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420 Treasure Drive
Oswego, IL 60543

1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
6/13/2007	D15990

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

David A. David
3010 Pecan Ridge Drive
Rowlett, TX 75088

			P.O. No.	Terms	Rep
			J. Brown	-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price	
51	1034	Solid Navy Mesh Back Six Panel Trucker Cap	4.99	254.49	
		Three Color / One location Embroidery			
26	1034	Solid Red Mesh Back Six Panel Trucker Cap	4.99	129.74	
		Three Color / One Location Embroidery			
15	1034	Solid Khaki Mesh Back Six Panel Trucker Cap	4.99	74.85	
		Three Color / One Location Embroidery			
1	1034	Solid Black Mesh Back Six Panel Trucker Cap	4.99	4.99	
		Three Color / One Location Embroidery			
93	EMB	Embroidery - Run Charge	0.00	0.00	
		3" Wide Front of Cap			
1	SETUP	NO Setup Charge	0.00	0.00	
		Reorder from PO # D15933			
1	ART	Art on File	0.00	0.00	
1	PROOF	Paper Proof	0.00	0.00	
	FREIGHT	Freight	177.09	177.09	
		Please send:			
		1 Navy, 1Red, 1Black			
		Brown, Jeff			
		8321 S. 8th Street			
		Broken Arrow, OK 74011			
		Balance of \$641.16 paid with cc on 6/14/07.			
Thank you!			Subtotal	\$641.16	
			Sales Tax (0.0%)	\$0.00	
			Total	\$641.16	
			Payments	-\$641.16	
			Balance Due	\$0.00	

BROWN010310



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
6/18/2007	D16200

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price	
100	1034	Solid Navy Mesh Back Six Panel Trucker Cap	4.99	499.00	
		Three Color/ One Location Embroidery			
25	1034	Solid Red Mesh Back Six Panel Trucker Cap	4.99	124.75	
		Three Color / One Location Embroidery			
25	1034	Solid Black Mesh Back Six Panel Trucker Cap	4.99	124.75	
		Three Color / One Location Embroidery			
150	EMB	Embroidery - Run Charge	0.00	0.00	
		3" Wide Front of Cap			
1	SETUP	NO Setup Charge	0.00	0.00	
		Reorder from PO # D15990			
1	ART	Artwork Prep - No Charge	0.00	0.00	
1	PROOF	Paper Proof	0.00	0.00	
	FREIGHT	Freight	56.20	56.20	
Balance of \$804.70 paid with cc on 6/19/07.					
Thank you!			Subtotal		\$804.70
			Sales Tax (0.0%)		\$0.00
			Total		\$804.70
			Payments		\$-804.70
			Balance Due		\$0.00

BROWN010311



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420 Treasure Drive
Oswego, IL 60543

1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
7/11/2007	D16862

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

		P.O. No.	Terms	Rep
		J. Brown	-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price
98	45061	Navy/Bone Visor with Sandwich Accent	4.29	420.42
		Two Color One Location Embroidery		
98	EMB	Embroidery - Run Charge	0.00	0.00
		1.75" h embroidery		
1	SETUP	Setup Charge	0.00	0.00
1	ART	Artwork Prep - No Charge	0.00	0.00
1	PROOF	Paper Proof	0.00	0.00
	FREIGHT	Freight	31.99	31.99
		Balance of \$452.41 paid with cc on 7/12/07		
Thank you!			Subtotal	\$452.41
			Sales Tax (0.0%)	\$0.00
			Total	\$452.41
			Payments	\$-452.41
			Balance Due	\$0.00

BROWN010312



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
8/7/2007	D17290

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

		P.O. No.	Terms	Rep
		J. Brown	-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price
100	BX004	Maroon/White Big Accessories Sandwich Bill Hat	5.99	599.00
100	EMB	Three Color / one Location embroidery	0.00	0.00
		Embroidery - Run Charge		
		3" Wide Front of Cap	0.00	0.00
1	SETUP	NO Setup Charge		
		REORDER FROM PO #D16428		
1	ART	Art on File	0.00	0.00
1	PROOF	NO Paper Proof	0.00	0.00
	FREIGHT	Freight	156.40	156.40
Balance of \$755.40 paid with cc on 8/09/07				
Thank you!			Subtotal	\$755.40
			Sales Tax (0.0%)	\$0.00
			Total	\$755.40
			Payments	\$-755.40
			Balance Due	\$0.00

BROWN010313



420 Treasure Drive
Oswego, IL 60543

1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
8/7/2007	D17270

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price	
10	2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	3.38	33.80	
		Two Color / One Location Imprint			
10	2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	4.38	43.80	
		Two Color / One Location Imprint			
20	2000	Ash Grey Gildan Ultra 100% Cotton Short Sleeve T-shirt	3.10	62.00	
		Three Color / One Location Imprint			
45	2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	5.85	263.25	
		Two Color / One Location Imprint			
20	2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	6.85	137.00	
		Two Color / One Location Imprint			
85	LEFT CHEST	Two Color 3.5" Wide Left Chest	0.00	0.00	
20	LEFT CHEST	Three Color 3.5" Wide Left Chest	0.00	0.00	
1	SETUP	NO Setup Charge	0.00	0.00	
		REORDER FROM PO #D15938			
1	ART	Art on File	0.00	0.00	
1	PROOF	NO Paper Proof	0.00	0.00	
	FREIGHT	Freight	54.30	54.30	
Balance of \$594.15 paid with cc on 8/09/07					
Thank you!			Subtotal	\$594.15	
			Sales Tax (0.0%)	\$0.00	
			Total	\$594.15	
			Payments	\$-594.15	
			Balance Due	\$0.00	

BROWN010314



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
8/20/2007	D17609

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price	
24	BX004	Black/White Big Accessories Sandwich Bill Hat	10.25	246.00	
		Three Color / Two Location Embroidery			
24	EMB	Embroidery - Run Charge	0.00	0.00	
		3" Wide Front of Cap			
24	EMB	Embroidery - Run Charge	0.00	0.00	
		NATIONAL CURVED ON BACK OF HAT			
1	SETUP	No Setup Charge	0.00	0.00	
		REORDER FROM PO #D15933			
1	ART	Art on File	0.00	0.00	
1	PROOF	NO Paper Proof	0.00	0.00	
1	FREIGHT	Freight	21.77	21.77	
Balance of \$267.77 paid with cc on 8/20/07					
Thank you!			Subtotal		\$267.77
			Sales Tax (0.0%)		\$0.00
			Total		\$267.77
			Payments		\$-267.77
			Balance Due		\$0.00

BROWN010315



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
9/21/2007	D18110

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

		P.O. No.	Terms	Rep
		J. Brown	-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price
50	BX004	Maroon/White Big Accessories Sandwich Bill Hat	5.99	299.50
50	EMB	Three Color / One Location Embroidery	0.00	0.00
1	SETUP	Embroidery - Run Charge	0.00	0.00
1	ART	3" Wide Front of Cap	0.00	0.00
1	PROOF	NO Setup Charge	0.00	0.00
1	FREIGHT	REORDER FROM PO #D17290	0.00	0.00
		Art on File	0.00	0.00
		NO Paper Proof	0.00	0.00
		Freight	21.68	21.68
		Deposit of \$150.00 paid with cc on 9/12/07		
		Balance of \$171.18 paid with cc on 9/25/07		
Thank you!			Subtotal	\$321.18
			Sales Tax (0.0%)	\$0.00
			Total	\$321.18
			Payments	\$-321.18
			Balance Due	\$0.00

BROWN010316



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
11/14/2007	D18890

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price	
60	BX004	Maroon/White Big Accessories Sandwich Bill Hat	5.99	359.40	
60	EMB	Three Color / one Location Embroidery	0.00	0.00	
		Embroidery - Run Charge			
		3" Wide Front of Cap			
1	SETUP	NO Setup Charge	0.00	0.00	
		REORDER FROM PO #D18110			
1	ART	Art on File	0.00	0.00	
1	PROOF	NO Paper Proof	0.00	0.00	
12	2000	Navy Gildan Ultra 100% Cotton Short Sleeve T-shirt	7.14	85.68	
		Two Color / one Location Imprint			
12	2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	9.95	119.40	
		Two Color / one Location Imprint			
24	LEFT CHEST	Two Color 3.5" Wide Left Chest	0.00	0.00	
1	SETUP	NO Setup Charge	0.00	0.00	
		REORDER FROM PO #D17270			
1	ART	Art on File	0.00	0.00	
1	PROOF	NO Paper Proof	0.00	0.00	
	FREIGHT	Freight	36.37	36.37	
Balance of \$600.85 paid with cc on 11/15/07					
Thank you!			Subtotal	\$600.85	
			Sales Tax (0.0%)	\$0.00	
			Total	\$600.85	
			Payments	-\$600.85	
			Balance Due	. \$0.00	

BROWN010317



www.showyourlogo.com

420 Treasure Drive
Oswego, IL 60543

1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
12/17/2007	D19420

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

P.O. No.	Terms	Rep
J. Brown	-Credit Card-	DK

Qty	Item No.	Description	Price Each	Extended Price
12	2400G	Navy Gildan Ultra Cotton Long Sleeve T-shirts	9.95	119.40
12	LEFT CHEST	Two Color / One Location Imprint	0.00	0.00
1	SETUP	Two Color 3.5" Wide Left Chest	0.00	0.00
		NO Setup Charge		
		REORDER FROM PO #D18890		
1	ART	Art on File	0.00	0.00
1	PROOF	NO Paper Proof	0.00	0.00
	FREIGHT	Freight	11.92	11.92
Balance of \$131.32 paid with cc on 12/18/07				
Thank you!			Subtotal	\$131.32
			Sales Tax (0.0%)	\$0.00
			Total	\$131.32
			Payments	\$-131.32
			Balance Due	\$0.00

BROWN010318



www.showyourlogo.com

420 Treasure Drive
Oswego, IL 60543

1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
1/28/2008	D19835

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
			J. Brown	-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price	
75	BX004	Maroon/White Big Accessories Sandwich Bill Hat	5.99	449.25	
75	EMB	Three Color / one Location Embroidery	0.00	0.00	
		Embroidery - Run Charge	0.00	0.00	
		3" Wide Front of Cap	0.00	0.00	
1	SETUP	NO Setup Charge	0.00	0.00	
		REORDER FROM PO #D18890A	0.00	0.00	
1	ART	Art on File	0.00	0.00	
1	PROOF	NO Paper Proof	0.00	0.00	
	FREIGHT	Freight	27.16	27.16	
Balance of \$476.41 paid with cc on 1/29/08					
Thank you!			Subtotal	\$476.41	
			Sales Tax (0.0%)	\$0.00	
			Total	\$476.41	
			Payments	\$-476.41	
			Balance Due	\$0.00	

BROWN010319



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
7/14/2008	D21923

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

			P.O. No.	Terms	Rep
				-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price	
1,050	2077	White Vinyl 3" x 3" Decal	0.29	304.50	
1	SETUP	Two Color / One Location Imprint	0.00	0.00	
		NO Setup Charge			
		REORDER FROM PO #D16069			
1	ART	Art on File	0.00	0.00	
1	PROOF	NO Paper Proof	0.00	0.00	
	FREIGHT	Freight	22.69	22.69	
Balance of \$327.19 paid with cc on 7/15/08					
Thank you!			Subtotal		\$327.19
			Sales Tax (0.0%)		\$0.00
			Total		\$327.19
			Payments		\$-327.19
			Balance Due		\$0.00

BROWN010320



420 Treasure Drive
Oswego, IL 60543
1-888-253-5800
Fax: 1-888-253-5895

Invoice

Date	Invoice #
9/18/2008	D23272

Bill To

Brown, Jeff
8321 S. 8th Street
Broken Arrow, OK 74011

Ship To

Jeff Brown
8321 S. 8th Street
Broken Arrow, OK 74011

		P.O. No.	Terms	Rep
			-Credit Card-	DK
Qty	Item No.	Description	Price Each	Extended Price
1,000	101100	Round Laminated Cello Button - 1 3/4"	0.28	280.00
		Two Color / One Location Imprint		
1	SETUP	Setup Charge	40.00	40.00
1	ART	Artwork Prep ± No Charge	0.00	0.00
1	PROOF	Paper Proof	0.00	0.00
	FREIGHT	Freight	24.10	24.10
Balance of \$344.10 paid with cc on 9/19/08				
Thank you!			Subtotal	\$344.10
			Sales Tax (0.0%)	\$0.00
			Total	\$344.10
			Payments	\$-344.10
			Balance Due	\$0.00

BROWN010321

The Trophy Case

943 North Elm Pl.
Broken Arrow, OK 74012
(918) 251-1487 (918) 251-1602 fax

Invoice

Date

1/12/06

Bill To

PATRIOT GUARD

Ship To

P.O. Number

Order Taken By

Needed By

Quantity

Description

Price Each

Amount

1

7X9 JOSEPH LUCAS

13.95

13.95

1

7X9 BENJAMIN BRITT

13.95

13.95

4

7X9 MEISTER COLES
BISHOP PFENDER

13.95

55.80

1

7X9 TEBULA

13.95

13.95

3

7X9 WHITE JOHNSON McLAUGHLIN

13.95

41.85

1

7X9 WV MINERS

13.95

13.95

1

7X9 PFENDER - REDD

13.95

13.95

We appreciate your business!!!

Subtotal

167.40

Sales Tax

14.26

Total

181.66

Handwritten signature and date 1/13/06

BROWN010322

The Trophy Case

943 North Elm Pl.
Broken Arrow, OK 74012
(918) 251-1487 (918) 251-1602 fax

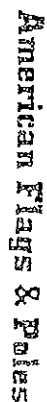
Invoice

Date

1/27/06

Bill To		Ship To	
PATRIOT GUARD			
P.O. Number		Order Taken By	Needed By
Quantity	Description	Price Each	Amount
1	7X9 SALTER	13.95	13.95
1	1X9 PRICE	13.95	13.95
1	7X9 YAZZIE	13.95	13.95
1	7X9 DEMORS	13.95	13.95
	FRT OVERNIGHT	34.85	34.85
1	7X9 DOSTIE	13.95	13.95
1	7X9 CHASE	13.95	13.95
1	7X9 WAGLER	13.95	13.95
1	7X9 FRANTZ	13.95	13.95
<p>We appreciate your business!!!</p> <p>TOTAL \$ 337.61</p>		Subtotal	111.60
			34.85 FRT
		Sales Tax	9.50
		Total	155.95

BROWN010323



(740) 373-4262
1-800-262-FLAG
FAX (740) 373-4620

ADDRESS

217

CE 17011

~~CASH~~

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[illegible]

15

1

100

10

[illegible]

RECEIVED BY _____

57

0

Thank You

ALL CLAIMS AND RETURNED GOODS
MUST BE ACCOMPANIED BY THIS BILL

$$\frac{10}{3} \text{ dB}$$

Self - Hope this

helps.

Let me know

if you need

more info

Hand
Sylvia

BROWN010324

CF-462

#228135 Order united-states-flag-228135 for United-states-flag
Date Fri Dec 30 14:03:29 EDT 2005
Ship to Jeff Brown
 8321 South 8 St
 Broken Arrow OK 74011
 US United States
 918 449 1652
Business address no
Bill to Same
E-Mail jeffbrown@valomet.com
Via UPS Ground
Payment Visa
Comments Plcd order Per JM request (Anna)

Item	Code	Qty	Unit Price
Custom Car Flag 11 x 14inch 2 color double sided Superknit Polyester http://store.yahoo.com/united-states-flag/cuf11x142col.html (Shipped)	CUST1114HF_2_2	100	4.95
Custom Car Flag set up charge 11 x 14inch 2 color http://store.yahoo.com/united-states-flag/cuf1setupch15.html (Shipped)	CUST1114HF_2_SETUP	1	44.00
Subtotal			539.00
Shipping			10.31
Tax			0.00
Total			549.31

BROWN010325

CF- 471

#238123 Order united-states-flag-238123 for United-states-flag
 Date Wed Feb 8 16:00:53 EDT 2006
 Ship to Jeff Brown
 8321 South 8 St.
 Broken Arrow OK 74011
 US United States
 918-449-1652
 Business address no
 Bill to Same
 E-Mail jeffbrown@valornet.com (emailed)
 Via UPS Ground
 Payment Visa
 Comments THIS IS A RE-ORDER FOR CUSTOMER, I WILL CREDIT ORDER.
 Order taken by: Lynda

Item	Code	Qty	Unit Price
Custom Car Flag set up charge 11 x 14inch 2 color http://store.yahoo.com/united-states-flag/cuflsetupch15.html (Shipped)	CUST1114HF_2_SETUP	1	44.00
Custom Car Flag 11 x 14inch 2 color double sided Superknit Polyester http://store.yahoo.com/united-states-flag/cufl11x142col.html (Shipped)	CUST1114HF_2_2	100	4.95
Subtotal			539.00
Shipping			15.78
Tax			0.00
Total			554.78

BROWN010326

CF-538

#253570

Order united-states-flag-253570 for United-states-flag

Date

Thu Mar 30 12:13:36 EDT 2006

Ship to

Jeff Brown
8321 South 8 St.
Broken Arrow OK 74011
US United States
918-449-1652

Business
address

no

Bill to

Same

E-Mail

jeffbrown@valornet.com (emailed)

Via

UPS Ground

Payment

Visa

Comments

THIS IS A RE-ORDER FOR CUSTOMER, I WILL CREDIT SET UP
CHARGE 1/2 PRICE.
Order taken by: Lynda

Item	Code	Qty	Unit Price
Custom Car Flag set up charge 11 x 14inch 2 color http://store.yahoo.com/united-states-flag/cuflsetupch15.html (Shipped)	CUST1114HF_2_SETUP	1	44.00
Custom Car Flag 11 x 14inch 2 color double sided Superknit Polyester http://store.yahoo.com/united-states-flag/cufl11x142col.html (Shipped)	CUST1114HF_2_2	200	4.95
Subtotal			1034.00
Shipping			24.64
Tax			0.00
Total			1058.64

BROWN010327

CF- 556 500 of 1000

#261731 Order united-states-flag-261731 for United-states-flag

Date Mon Apr 24 16:15:54 EDT 2006

Ship to Jeff Brown
8321 South 8 St.
Broken Arrow OK 74011
US United States
918-449-1652

Business address no

Bill to Same

E-Mail vendors@patriotguardstore.org (emailed)

Via UPS Ground

Payment Visa

Comments Order requested by Susan.
This will be 500 flags added to order # 259965.
There is no set up fee.

Item	Code	Qty	Unit Price
Custom Car Flag 11 x 14inch 2 color double sided Superknit Polyester http://store.yahoo.com/united-states-flag/cuf11x142col.html	CUST1114HF_2_2	500	4.95
Subtotal			2475.00
Shipping			85.00
Tax			0.00
Total			2560.00

BROWN010328

CF-556 500 of 1000

#259965 Order united-states-flag-259965 for United-states-flag

Date Wed Apr 19 12:08:22 EDT 2006

Ship to Jeff Brown
8321 South 8 St.
Broken Arrow OK 74011
US United States
918-449-1652

Business address no

Bill to Same

E-Mail vendors@patriotguardstore.org (emailed)

Via UPS Ground

Payment Visa

Comments Re-order. Set up fee will be changed to \$44.00.
Shipping fee to be added.
Order Taken by Susan

Item	Code	Qty	Unit Price
Custom Car Flag set up charge 11 x 14inch 2 color http://store.yahoo.com/united-states-flag/cuflsetupch15.html	CUST1114HF_2_SETUP	1	44.00
Custom Car Flag 11 x 14inch 2 color double sided Superknit Polyester http://store.yahoo.com/united-states-flag/cufl11x142co1.html	CUST1114HF_2_2	500	4.95
Subtotal			2519.00
Shipping			85.00
Tax			0.00
Total			2604.00

BROWN010329

CF-667

#289858 Order united-states-flag-289858 for United-states-flag

Date Thu Jun 29 09:58:44 EDT 2006

Ship to Jeff Brown
8321 South 8 St.
Broken Arrow OK 74011
US United States
918 449 1652

Business address no

Bill to Same

E-Mail venders@patriotguardstore.org (emailed)

Via UPS Ground

Payment Visa

Comments No set up fee per John Mirenyi. Ordered by Susan.
Shipping fee to be added once flags recieved.

Item	Code	Qty	Unit Price
Custom Car Flag 11 x 14inch 2 color double sided Superknit Polyester http://store.yahoo.com/united-states-flag/cuf11x142col.html	CUST1114HF_2_2	500	4.95
Subtotal			2475.00
Shipping			56.00
Tax			0.00
Total			2531.00

BROWN010330

CF-788

#321354 **Order united-states-flag-321354 for United-states-flag**
Date Wed Sep 27 14:07:56 EDT 2006
Ship to Jeff Brown
 8321 South 8 St.
 Broken Arrow OK 74011
 US United States
 918 449-1652

Business address no
Bill to Same
E-Mail customflag@onlinestores.com (emailed)
Via UPS Ground
Payment Visa
Comments Set up fee waived per John Mirezni. Shipping cost to be advised and added to order at time of shipping. Ordered by Susan.

Item	Code	Qty	Unit Price
Custom Car Flag 11 x 14inch 2 color double sided Superknit Polyester http://store.yahoo.com/united-states-flag/cuf11x142col.html	CUST1114HF_2_2	500	5.50
Subtotal			2750.00
Shipping			100.07
Tax			0.00
Total			2850.07

BROWN010331

CF-926

Online Stores, Inc.**Invoice**

United States Flag Store



Order Number	Order Date
SE166965	1/12/2007
Customer ID	PO Number
176421	
WHOLESALE	

Sold To
Patriot Guard Rider Jeff Brown 8321 S 8th St Broken Arrow, OK 74011-8813 Phone: 918-449-1652
Payment Information: Visa :

Ship To
Patriot Guard Rider Jeff Brown 8321 S 8TH ST BROKEN ARROW, OK 74011 Phone: 918-449-1652
Shipping Method
UPS Ground

COMMENTS: Jan H
Custom Car Flags

SKU	Description	Ordered	Shipped	Returned	Unit Price	Extended
CUST1114HF_2_2	Custom Car Flag 11 x 14inch 2 color double sided Superknit Polyester	250	250	0	\$4.41	\$1,102.50

Subtotal	\$1,102.50
Shipping	\$43.75
Handling	\$0.00
Tax	\$0.00
Grand Total	\$1,146.25
Discount	\$0.00
Payments	\$1,146.25
Credits	
Balance Due	\$0.00

Please Make Checks Payable to Online Stores, Inc.

Thank You for your Order!

CF-1155

Online Stores, Inc.**Invoice**

United States Flag Store



1000 Westinghouse Drive, Suite 1
New Stanton, PA 15672
1-877-734-2458

Order Number	Order Date
SE249028	5/25/2007
Customer ID	PO Number
176421	
WHOLESALE	

Sold To
Patriot Guard Rider Jeff Brown 8321 S 8th St Broken Arrow, OK 74011-8813 Phone: 918-449-1652
Payment Information:
Visa

Ship To
Patriot Guard Rider Jeff Brown 8321 S 8TH ST BROKEN ARROW, OK 74011 Phone: 918-449-1652
Shipping Method
UPS Ground

COMMENTS: Jan H
Custom Order

Order recieved by Susan/Custom Dept.

SKU	Description	Ordered	Shipped	Returned	Unit Price	Extended
CUST1114HF_2_2	Custom Flag - 11x14in Superknit Polyester. 2-Color. Double Sided	250	250	0	\$4.41	\$1,102.50

Subtotal	\$1,102.50
Shipping	\$41.90
Handling	\$0.00
Tax	\$0.00
Grand Total	\$1,144.40
Discount	\$0.00
Payments	\$1,144.40
Credits	
Balance Due	\$0.00

CF-1331

Online Stores, Inc.**Invoice**

United States Flag Store



Order Number	Order Date
SE332163	10/2/2007
Customer ID	PO Number
176421	
WHOLESALE	

Sold To
Patriot Guard Rider Jeff Brown 8321 S 8th St Broken Arrow, OK 74011-8813 Phone: 918-449-1652
Payment Information: Visa

Ship To
Patriot Guard Rider Jeff Brown 8321 S 8TH ST BROKEN ARROW, OK 74011 Phone: 918-449-1652
Shipping Method
UPS Ground

COMMENTS: Jan H
Custom Order.
Order received by Susan 10-2-07. Re-order of CF-1155

SKU	Description	Ordered	Shipped	Returned	Unit Price	Extended
CUST1114HF_2_2	Custom Flag - 11x14in Superknit Polyester. 2-Color. Double Sided	200	200	0	\$4.41	\$882.00

Subtotal	\$882.00
Shipping	\$20.33
Handling	\$0.00
Tax	\$0.00
Grand Total	\$902.33
Discount	\$0.00
Payments	\$902.33
Credits	
Balance Due	\$0.00

Please Make Checks Payable to Online Stores, Inc.

Thank You for your Order!

1621
CF - 1622



Online Stores, Inc.

Invoice

United States Flag Store



Order Number	Order Date
SE478421	4/15/2008
Customer ID	PO Number
176421	
WHOLESALE	

Sold To
Patriot Guard Rider Jeff Brown 8321 S 8th St Broken Arrow, OK 74011-8813 Phone: 918-449-1652 jeffbrown@valornet.com
#Error
VISA

Ship To
Patriot Guard Rider Jeff Brown 8321 S 8TH ST BROKEN ARROW, OK 74011 Phone: 918-449-1652
Shipping Method
UPS Ground

COMMENTS: Wholesale / Ed Horne
Re-order of CF-1331; setup fee waived.

SKU	Description	Ordered	Shipped	Returned	Unit Price	Extended
CUST1114HF_2_2	Custom Flag - 11x14in Superknit Polyester. 2-Color. Double Sided	200	200	0	\$4.75	\$950.00

Subtotal	\$950.00
Shipping	\$28.49
Handling	\$0.00
Tax	\$0.00
Grand Total	\$978.49
Discount	\$0.00
Payments	\$978.49
Credits	
Balance Due	\$0.00

Please Make Checks Payable to Online Stores, Inc.
Thank You for your Order!

BROWN010335

EXHIBIT 12

Lattimer, Betsy M.

From: Jeff Brown [jeffbrown@valornet.com]
Sent: Monday, April 24, 2006 3:23 PM
To: John Jacobs
Subject: RE: PGR Trademark

John,

I'm thinking of posting this on the website...does it look ok to you? Are there any changes I should make?
Thanks,
Jeff

PGR name and Logo

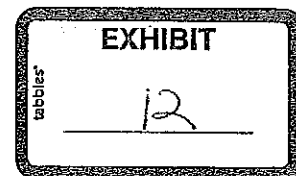
Several members have asked to make different items incorporating the Patriot Guard Riders name and or logo. Unfortunately, we have had to ask that this not be done and I think everyone needs to know why.

The name, Patriot Guard Riders, our logo, as well as the phrase Riding With Respect, are all trademarked to protect the identity of the organization. Attorneys have cautioned us the if we allow it's unlicensed use, should we ever have to go to court to enforce the trademark protection, our case could be severely hampered by the fact that a precedent has been set for it's unlicensed use.

Folks, we're not trying to be jerks about it, we're just trying to make sure our organization is fully protected from those who might want to discredit us in the future.

Thanks for your understanding and cooperation.
Jeff

09/10/2008



BROWN010246

EXHIBIT 13

From: Jeff Brown <jeffbrown@valornet.com>
Sent: Thursday, February 1, 2007 8:30 AM
To: John Jacobs <minijacobs@gmail.com>
Subject: RE: Trademarks

John,
Here's what I can find on the first invoices for other PCR products. They were gleaned from the old software (Quickbooks). Unfortunately, the new software will not let me pull up this kind of data, so some of the newer products are not included. If the newer products are important, let me know and I'll try to manually go through all the invoices and see what I can find.

3X5 Flags	11/12/06
Armbands	11/29/05
Blue Ball Caps	12/08/05
Blue Flags	11/29/05
Dog Tag Pins	12/14/06
License Plate	12/09/05
Long Sleeve Shirts	12/23/05
Short Sleeve Shirts	12/23/05
Maroon Ball Caps	12/23/05
Black Ball Caps	3/21/06
Ride Captain Patch	12/23/05
State Captain Patch	12/23/05
Ride Decals	11/29/05
Rider Lapel Pins	12/14/05
Scouter Sissy Patch	6/30/06
Windsfield Banner	11/09/05

Thanks,
Jeff

-----Original Message-----

From: John Jacobs [mailto:minijacobs@gmail.com]
Sent: Monday, January 29, 2007 10:03 PM
To: Jeff Brown
Subject: Re: Trademarks

That's great. We need the first sale date invoice for each of the other categories of store items too.

I hope all is well.

John Jacobs

On 1/23/07, Jeff Brown <jeffbrown@valornet.com> wrote:
John,
Thanks

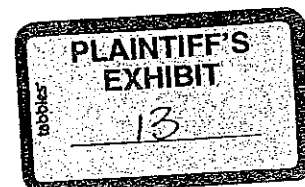
I did some research and found the first invoice for two PCR Vest Patches was written on 11/15/2005.
Thanks,
Jeff

-----Original Message-----

From: John Jacobs [mailto:minijacobs@gmail.com]
Sent: Tuesday, January 23, 2007 3:18 PM
To: Jeff Brown
Subject: Re: Trademarks

Jeff

This is regarding the copyright application only, which is completely distinct from the trademarks.



BROWN007748

ATTORNEY CLIENT PRIVILEGE WORK PRODUCT

It's a bit surprising, but they're saying that the logo doesn't show sufficient creativity to be copyrightable. I've not seen them do that before with what seem to be similar submissions. The legal threshold for the required level of creativity is supposed to be quite low. Here's a link to an article that spells it out pretty well.

That said, I understand your primary goal in registering is so you would be legally able to sue on the copyright (although that isn't your current plan of action). Submitting the registration, even though they reject it, meets that requirement (although you would have to notify the copyright office in case of a suit so they could possibly weigh in on the matter of whether the submission is in fact copyrightable).

I'll do a little research to see if there's recent cases that have changed or clarified the standard.

Also, do you have the dates that the store items were first put on sale?

John Jacobs

On 1/22/07, Jeff Brown <jeffbrown@valomer.com> wrote:

John,

Not sure if you got a copy of this or if you feel comfortable assisting with it. If you don't, no problem, just let me know. I don't understand what they are saying and if I have any options or further course of action open.

Thanks,

Jeff

No virus found in this outgoing message.

Checked by AVG Free Edition.

Version: 7.5.432 / Virus Database: 268.17.4 / 644 - Release Date: 1/22/2007
7:30 AM

EXHIBIT 14

Goswick, Diane

From: Jeff [jeffbrown@valornet.com]
Sent: Sunday, May 02, 2010 1:58 PM
To: Blue, Rachel
Subject: FW: PGR Forums - New Post RE: USTP ruling posted yet??

-----Original Message-----

From: Jeff Brown [mailto:jeffbrown@valornet.com]
Sent: Friday, January 02, 2009 6:53 PM
To: bacritterrescue@yahoo.com
Subject: RE: PGR Forums - New Post RE: USTP ruling posted yet??

Isn't he one of our PGR-OK members? The name sure sounds familiar but I'm not positive.
Whirleyfart...LOL...I love that!
Jeff

-----Original Message-----

From: Kerri Hamilton [mailto:bacritterrescue@yahoo.com]
Sent: Friday, January 02, 2009 6:47 PM
To: Jeff Brown
Subject: Fw: PGR Forums - New Post RE: USTP ruling posted yet??

who is Charley747?? This is whirlyfarts reply to a post made by that guy.

--- On Fri, 1/2/09, info@patriotguard.org <info@patriotguard.org> wrote:

From: info@patriotguard.org <info@patriotguard.org>
Subject: PGR Forums - New Post RE: USTP ruling posted yet??
To: bacritterrescue@yahoo.com
Date: Friday, January 2, 2009, 11:56 AM

At 02 Jan 2009 5:55 PM a message was posted to a thread you were tracking.

RE: USTP ruling posted yet??
by whirlwind

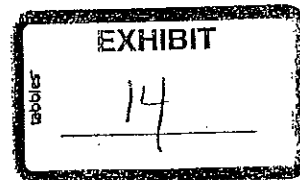
Charley, I'm certain that I know the facts of the trademark issue as well as any. The fact is that Patriot Guard Riders, Inc. has the first application for the trade/service mark of our logo and name. The Opposer chose to attempt to claim the use for his own profit. Read the applications; PGR has filed for the non-profit organization to own the rights, not any for profit individual.

We are defending our application against the filed objection to our application.

The accusation about the audit is pure BS. The mis-appropriation of funds were reported to the FBI, and even the Opposer knows it. WE do not have the decision to prosecute and the 1099 does not prevent it either.

I agree that the funds raised by the PGR Store are better spent for our soldiers and mission, but if we loose the right to operate our store... Over 75% of our HOTH funding traditionally comes from sales from the store. Did the Opposer ever put that kind of money into our mission. No. Not even remotely close.

It is also correct that if we lose this dispute, we will lose the right to conduct our missions under the name Patriot Guard Riders. I can assure you that there will be no attempts to secure a license from the Opposer if he should win. There was an anonymous poll among the State Captains, and I don't believe there was a



5/3/2010

single vote in favor of the Opposer owning our name and logo. He, the Opposer, is aware of this poll and the results. He is absolutely aware that it will destroy the existing organization that has performed every mission since Fall 2005. He has contacted members in many states to form his new organization if he should win. **HIS** So that he may continue to personally profit.

I respect that you have your own views and opinions, but there will be a great deal of information to be shared in the future. I'd ask that you wait for some of that before drawing your conclusions. I think you might be... "surprised" by what you learn.

To view the complete thread and reply, please visit:

<http://www.patriotguard.org/ALIForums/tabid/61/view/topic/postid/1031202/plarge/1054417/Default.aspx>


You were sent this email because you opted to receive email notifications when someone responded to this thread. To unsubscribe to this thread please visit your user profile page delete this post from your subscribed topics.

Thank you, Patriot Guard Riders

EXHIBIT 15

Zippy Challenge Coin's are about the organization. They are not normally intended for the public. I don't see why Jeff can't be asked to license the PGR to use it.

15 Nov 2006 9:28 PM 

Westcott2 
Posts: 2787

Park Ridge, Illinois



Serge,

We only have permission to use the PGR Logo on the website, no permission given for anything else.

Respects,
Ed

Freedom
Justice
Brotherhood





If your gonna be One.....Be a BIG RED ONE



DEAN LANGE QUAN-LIN

Diplomacy...the art of telling someone to go to hell.....and they look forward to the trip

15 Nov 2006 9:32 PM 

Zippy 
Posts: 6027
Phoenix, AZ

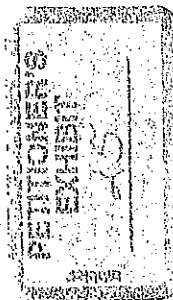
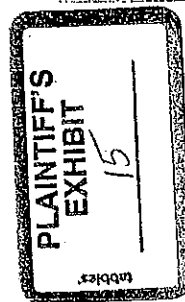


EXHIBIT 16

eBay - item found > Patriot Guard Forums - Americans Doing the Right Thing > Patriot Guard Riders



snonut
Posts: 443
Dover, NH



PGR Mad Dog
Posts: 0



Zippy
Posts: 6495
Phoenix, AZ
National Forum
Admin
User Accounts
Admin

Kelly "Tinman" Crouse
Proud Member
Patriot Guard Riders

04 Sep 2006 8:16 PM

Alert

What are the thoughts for selling your own stuff on ebay (which I can only assume it belongs to a member)? This was found by a member in NJ:
http:

<http://tinyurl.com/ro2sa>

User Support Team
Assistant State Veteran's Services Officer

"All that it takes for evil to triumph is for good people to do nothing."

04 Sep 2006 8:40 PM

Alert

If they bought it from the PGR store, and they are not making them, I don't see any reason why they can not sell it again.

If they are getting a better price than the PGR store = great marketing.

04 Sep 2006 8:57 PM

Alert

Posting another reminder to protect a copyright is not beating a dead horse. I just lost hundreds of dollars in income two weeks ago over a pirated design, by a PGR member, no less. I have no idea how long this person has been selling my design and he got the idea from another PGR member. He's been given a limit but if he doesn't cease and desist it will cost me a great deal more money to defend my



PGR 003373

11/21/2001

<http://www.patriotguard.org/ALLForums/tabid/61/forumid/17/postid/207982/view/topic/Default.aspx>



Indyharley
Posts: 3846
Indiana

design against his infringement. Money I don't have to spare.

I don't think there's anything that can be done about a member selling something he already owns, as long as he's not making them himself to sell for profit. The jacket is another matter.

Diane "Zippy" Anderson
PROUD Army Mom of SSgt Billy Myers 2nd Cavalry Stryker, Iraq

"...for those who man the battle line, the bugle whispers low, and freedom has a taste and price the protected never know..."

TOU Enforcement Agent

Indyharley
Posts: 3846
Indiana

04 Sep 2006 9:11 PM

Alert

who actually owns the PGR trademark and/or copyright? Just curious if anyone really knows.



Richard 'IndyHarley' Wilbur
Veteran ('65-'69)
SC IN PGR ('05)
Retired LEO and Blue Knight MC Member

For quick Mission information in IN see - <http://indianapatriotguard.org/missions.htm>

Boccie
Posts: 442
WV Ride Captain

04 Sep 2006 9:14 PM

Alert

You can buy from the PGR store and re-sell them all you want. You can re-sell your car, clothes etc etc etc.

That isnt copyright infringement. If I make some shoes and stick Nike on them that is. So this person selling the jackets is a pirate.



JohnnyW
Posts: 380

04 Sep 2006 10:29 PM

Alert

"Montani semper liberi" Mountaineers are always free

PGR 003374

11/21/2008

Fort Campbell, KY
Tuckasee Ride
Captain



sgtpotsie
Posts: 3664
New Mexico SC
Albuquerque, NM



Jeff (twister) owns all the copyrights last time I checked. He has to grant someone a license before they can use any of the copyrighted material for other things.

Goin off to play GI Joe in the big ole sandbox for about 15 months

05 Sep 2006 1:57 PM

Alert

Potsie, er I mean JohnnyW is correct. Jeff owns the design and the motto. They are licensed to PGR and anyone else who obtains his permission. I do believe a pee pee slap is in order here.....

Michael "Potsie" Postel
SSgt, USAF
I.Y.A.Y.A.S!

Riding in memory and honor of Jim "Norton" Rolfe. You will always be our SC brother.

"I feel how weak and fruitless must be any word of mine which should attempt to beguile you from the grief of a loss so overwhelming. But I cannot refrain from tendering you the consolation that may be found in the thanks of the Republic they died to save.
I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom."
-Abraham Lincoln

Joehring
Posts: 1634
GA Ride Captain
Buford, GA

05 Sep 2006 3:12 PM

Alert

I know we all try to let a lot slide, but I would feel sorry for the member that showed up on a mission wearing something like that. It would probably be the newest, most enthusiastic one there too.

Chip
"Night Sentry"

PGR 003375

EXHIBIT 17

Lattimer, Betsy M.

From: Jeff Brown [jeffbrown@valornet.com]
Sent: Wednesday, September 06, 2006 12:16 PM
To: John Jacobs
Subject: RE: Trademark Violation?

I saw that...thanks for your help. On another note, did we ever trademark "The Gathering of the Guards"?

Thanks,
Jeff

-----Original Message-----

From: John Jacobs [mailto:mnjjacobs@gmail.com]
Sent: Wednesday, September 06, 2006 8:12 AM
To: Jeff Brown
Cc: Clayton Hall
Subject: Re: Trademark Violation?

The auction was cancelled early with no sale. I can't tell whether the complaint to ebay or the second request to the seller was the cause.

On 9/3/06, Jeff Brown <jeffbrown@valornet.com> wrote:
Thanks...I appreciate it.
Jeff

-----Original Message-----

From: John Jacobs [mailto:mnjjacobs@gmail.com]
Sent: Sunday, September 03, 2006 10:35 AM
To: Jeff Brown
Cc: Clayton Hall
Subject: Re: Trademark Violation?

Will do. I'll send a message to the seller and to ebay, and we'll see what happens from there.

On 9/3/06, Jeff Brown <jeffbrown@valornet.com> wrote:
Clayton,
Thanks for the heads up.

Johnny,
Can you send them a "cease and desist" letter or whatever you think we need to do?

Thanks,
Jeff

-----Original Message-----

From: Clayton Hall [mailto:tulduo@sbcglobal.net]
Sent: Saturday, September 02, 2006 2:13 PM
To: Jeff Brown
Subject: Trademark Violation?

http://cgi.ebay.com/Patriot-Guard-Riders-embroider-denim-jacket-cycles_W00Q0itemZ1500282593500QihZ00500categoryZ3130QssPageNameZWDVW0QOrd

9/10/2008

EXHIBIT

17

BROWN010238

EXHIBIT 18

Lattimer, Betsy M.

From: John Jacobs [mnjjacobs@gmail.com]
Sent: Tuesday, November 28, 2006 8:14 AM
To: Jeff Brown
Subject: FYI - PGR Inc. store thread

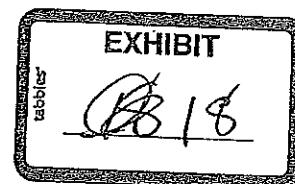
27 Nov 2006 8:36 PM

I saw someone who wanted to make a PGR speedo face plate for a member but was asked not to by an attorney for the former ED. Guy does excellent work. Anyone know about this??

Johnny B
Bikers for Christ
PGR NY State Captain
NCOM, AMA, AIM, ABATE NY, VROC
USAF 1975-78

I can respond, you can respond or not. Your call.

09/10/2008



BROWN010205

EXHIBIT 19

Lattimer, Betsy M.

From: John Jacobs [mnjjacobs@gmail.com]
Sent: Thursday, January 18, 2007 8:15 PM
To: Jeff Brown
Subject: Fwd: Question for item #180045268002 - Yamaha Vstar V-star Roadstar Star 650 1100 Royal Star

Jeff -

This was the message I used successfully on several occasions. Obviously, you'll have to change it to come from you and maybe remove the claims about the false relationship with the organization.

By the way - thanks very much for the patches that arrived in the mail today. I like them a lot. Are sales doing OK?

John Jacobs

----- Forwarded message -----

From: eBay Member: pgrjohn <member@ebay.com>
Date: Nov 1, 2006 3:52 PM
Subject: Question for item #180045268002 - Yamaha Vstar V-star Roadstar Star 650 1100 Royal Star

Item: Yamaha Vstar V-star Roadstar Star 650 1100 Royal Star (180045268002)

This message was sent while the listing was active.

pgrjohn is a potential buyer.

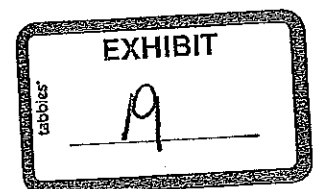
Dear Sir or madam:

I am an attorney for the Patriot Guard Riders and Jeff Brown, Executive Director of PGR. I am writing to demand that you remove the referenced auction because it infringes PGR intellectual property and falsely creates an impression of a relationship with the PGR organization and the auctioned item.

I will report the auction to ebay as infringing PGR's rights if you do not immediately remove the auction, or revise it to remove the unauthorized use of the Patriot Guard Riders name and logo. If necessary we will take further action.

Sincerely,

09/10/2008



BROWN010167

EXHIBIT 20

Coswick, Diane

From: Jeff [jeffbrown@valornet.com]
Sent: Sunday, May 02, 2010 2:16 PM
To: Blue, Rachel
Subject: FW: Riding with Respect Logo

-----Original Message-----

From: Jeff Brown [mailto:jeffbrown@valornet.com]
Sent: Saturday, February 28, 2009 7:17 PM
To: rrawtry@yahoo.com
Subject: RE: Riding with Respect Logo

I'd be honored...go for it. Send pics when you can.
Thanks Bro,
Jeff

-----Original Message-----

From: ronny awtry [mailto:rrawtry@yahoo.com]
Sent: Saturday, February 28, 2009 7:12 PM
To: jeffbrown@valornet.com
Subject: Riding with Respect Logo

Dear Jeff Brown,

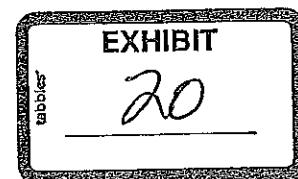
Greetings!! I am writing to you in hopes of securing usage to print large "Patriot Guard Riders- Riding With Respect" Vinyls for usage on my race car, "the Patriot Express" and on my toy hauler travel trailer which is my support vehicle for my race car. One graphic will be used on the entire roof as large as possible without cutting off any portion of the graphic, with 3 more approximately 4 Ft wide versions on the travel trailer sides and back. I will purchase any standard size graphics from the appropriate approved merchandiser as is currently PGR PX and/or Twisters Store and not duplicate these items. My total productions will be limited to the 4 graphics requested.

This is for this very specific usage and by no means will be sold, duplicated or delivered to any other person for any other reason, be it paid or not. I find that as I am now racing on motocross style race tracks I am fastly becoming a part of the next younger community of PGR Riders, and our organizations logo draws attention and questions every time it is seen in public at these races.

Thank you for your consideration. I'll do the logo justice in on track visibilty and good sportsmanship!! If acceptable, please forward me acknowledgement of your consent and a graphic of the logo that I can have enlarged to accomplish the stated request!!

Sincerely,
Ronny Awtry
Speedy Services
www.speedyservices.com
972-299-5552

5/3/2010



Goswick, Diane

From: Jeff [jeffbrown@valornet.com]
Sent: Sunday, May 02, 2010 2:16 PM
To: Blue, Rachel
Subject: FW: questions

-----Original Message-----

From: Jeff Brown [mailto:jeffbrown@valornet.com]
Sent: Monday, December 22, 2008 10:33 AM
To: Dimples5166@aol.com
Subject: RE: questions

The mark included the name and the logo.

I have always stipulated that we continue to use the marks for the organization and its "non-commercial" applications. As the owner and creator of the marks, I want to control who and how they are used commercially. Since the BoD refused to take any further donations from me, that is one of the reasons I licensed the PGR-PX...we know exactly how much money comes in and how much should go to PGR and other veteran projects. Using the BoD figures for their store, by donating 25% of the gross proceeds, rather than "100% of the profits", the PGR-PX would provide a lot more money in donations. I hope that answers your question.

Have a very Merry Christmas!!
Jeff & Bonnie

-----Original Message-----

From: Dimples5166@aol.com [mailto:Dimples5166@aol.com]
Sent: Sunday, December 21, 2008 11:18 PM
To: jeffbrown@valornet.com
Subject: Re: questions

My question is what is a service mark. Is it the logo or something else? I am thinking this is al another scare tactic of the opposition I just want to be clear when I am asked questions.

One site keeps you connected to all your email: AOL Mail, Gmail, and Yahoo Mail. [Try it now.](#)

EXHIBIT 21

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

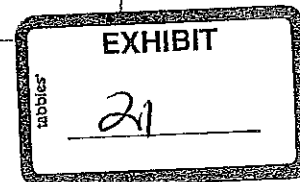
Serial Number: 77040379

Filing Date: 11/09/2006

NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	YES
MARK INFORMATION	
*MARK FILE NAME	\\TICRS\EXPORT2\IMAGEOUT2 \\770\403\77040379\xml1\FT K0002.JPG
*SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	Patriot Guard Riders Riding with Respect
*COLOR MARK	YES
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of this mark has a yellow field with a blue and white folded American flag and blue text.
*COLOR(S) CLAIMED (If applicable)	yellow, blue, and white
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	900 x 572
APPLICANT INFORMATION	
*OWNER OF MARK	Patriot Guard Riders, Inc.
*STREET	312 Granite Ct
*CITY	Windsor



*STATE (Required for U.S. applicants)	Colorado
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	80550
PHONE	970-402-1892
EMAIL ADDRESS	jason@patriotguard.org
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
LEGAL ENTITY INFORMATION	
*TYPE	CORPORATION
*STATE/COUNTRY OF INCORPORATION	Oklahoma
GOODS AND/OR SERVICES AND BASIS INFORMATION	
*INTERNATIONAL CLASS	045
*FIRST USE ANYWHERE DATE	At least as early as 11/11/2005
*FIRST USE IN COMMERCE DATE	At least as early as 06/01/2006
*DESCRIPTION	Organizing and conducting support groups in the field of MILITARY AND MILITARY FAMILY SUPPORT
*FILING BASIS	SECTION 1(a)
*FIRST USE ANYWHERE DATE	At least as early as 11/11/2005
*FIRST USE IN COMMERCE DATE	At least as early as 06/01/2006
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT2\IMAGEOUT2\770\403\77040379\xml1\FT K0003.JPG
SPECIMEN DESCRIPTION	this is a sample of a t-shirt that we sold to help raise money for scholarships for the families of fallen soldiers.
ADDITIONAL STATEMENTS INFORMATION	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION	

(if applicable)	
*CONSENT (NAME/LIKENESS) (if applicable)	
*CONCURRENT USE CLAIM (if applicable)	
CORRESPONDENCE INFORMATION	
*NAME	Patriot Guard Riders, Inc.
FIRM NAME	Patriot Guard Riders, Inc.
*STREET	312 Granite Ct
* CITY	Windsor
* STATE (Required for U.S. applicants)	Colorado
* COUNTRY	United States
* ZIP/POSTAL CODE (Required for U.S. applicants only)	80550
PHONE	970-402-1892
* EMAIL ADDRESS	jason@patriotguard.org
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
NUMBER OF CLASSES	1
FEE PER CLASS	275
TOTAL FEE DUE	275
SIGNATURE INFORMATION	
* SIGNATURE	/Jason D. Wallin/
* SIGNATORY'S NAME	Jason D. Wallin
SIGNATORY'S POSITION	Treasurer, Patriot Guard Riders, Inc.
* DATE SIGNED	11/09/2006
FILING INFORMATION SECTION	
SUBMIT DATE	Thu Nov 09 13:14:12 EST 2006
	USPTO/FTK-72.250.47.100-2 0061109131412723527-77040

TEAS STAMP

379-3507c3ba14ce17d9c93f0
87827a0f348e6-CC-1533-200
61109113619488470

PTO Form 1478 (Rev 9/2006)
OMB No. 0651-0009 (Exp 09/30/2008)

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 77040379

Filing Date: 11/09/2006

To the Commissioner for Trademarks:

MARK: Patriot Guard Riders Riding with Respect (stylized and/or with design, see mark)

The literal element of the mark consists of Patriot Guard Riders Riding with Respect. The applicant claims color as a feature of the mark, namely, yellow, blue, and white. The mark consists of this mark has a yellow field with a blue and white folded American flag and blue text.

The applicant, Patriot Guard Riders, Inc., a corporation of Oklahoma, having an address of 312 Granite Ct, Windsor, Colorado, United States, 80550, requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 045: Organizing and conducting support groups in the field of MILITARY AND MILITARY FAMILY SUPPORT

If the applicant is filing under Section 1(b), intent to use, the applicant declares that it has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(b), as amended.

If the applicant is filing under Section 1(a), actual use in commerce, the applicant declares that it is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

If the applicant is filing under Section 44(d), priority based on foreign application, the applicant declares

that it has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services, and asserts a claim of priority based on a specified foreign application(s). 15 U.S.C. Section 1126(d), as amended.

If the applicant is filing under Section 44(e), foreign registration, the applicant declares that it has a bona fide intention to use the mark in commerce on or in connection with the identified goods and/or services, and submits a copy of the supporting foreign registration(s), and translation thereof, if appropriate. 15 U.S.C. Section 1126(e), as amended.

Correspondence Information: Patriot Guard Riders, Inc.

312 Granite Ct

Windsor, Colorado 80550

970-402-1892(phone)

jason@patriotguard.org (authorized)

A fee payment in the amount of \$275 will be submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Jason D. Wallin/ Date: 11/09/2006

Signatory's Name: Jason D. Wallin

Signatory's Position: Treasurer, Patriot Guard Riders, Inc.

RAM Sale Number: 1533

RAM Accounting Date: 11/09/2006

Serial Number: 77040379

Internet Transmission Date: Thu Nov 09 13:14:12 EST 2006

TEAS Stamp: USPTO/FTK-72.250.47.100-2006110913141272

3527-77040379-3507c3ba14ce17d9c93f087827

a0f348e6-CC-1533-20061109113619488470





EXHIBIT 22

From: Wallin, Jason D. <jasonw@geoveritas.com>
Sent: Wednesday, November 9, 2005 8:19 PM
To: Jeff Brown <jeffbrown@valdnet.com>
Subject: RE: PGR - Most recent pickets from WBC site

Btw you now own pathtoguard.org domain name and I can host it for you for free.

Jason Wallin, CISSP
John Deere Agri Services
Fort Collins, CO

970-266-4625
jasonw@geoveritas.com

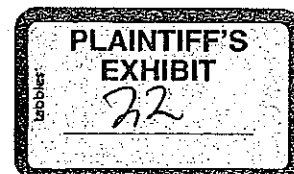
-----Original Message-----

From: Jeff Brown [mailto:jeffbrown@valdnet.com]
Sent: Wednesday, November 09, 2005 6:41 PM
To: Husky; Wallin, Jason D.
Subject: PGR - Most recent pickets from WBC site

Hey Guys,
Preacher just sent me your email address to put you on the PGR notification list. Either of you near Beatrice, Nebraska? Let me know and I'll send you details on the ride for Spt. Howe.
Welcome aboard, a couple of things. If you know other riders that want to get involved, regardless of any organization, let me know and I'll put them on the list. Send me any information you want distributed.
Thanks,
Jeff Brown "Twister".
Broken Arrow, OK

~~~~~  
Here's what's listed, in case you've not checked their site recently.  
If you know riders in these areas, regardless of any group affiliation, pass it along and encourage them to join in a Patriot Guard Ride to to honor our fallen heroes and support their families.  
If anyone has contact information for rides in these areas, please pass it along to me and I will see it gets out.  
Thanks,  
Jeff Brown "Twister".  
Broken Arrow, OK  
~~~~~

WBC to picket funeral/visitation of Army Spt. Darren D. Howe - at 4 p.m. Thursday, Nov. 10, at Fox Funeral Home, 1116 N. 19th St., Beatrice, Nebraska. He was killed by an Iraqi IED.



BROWN008010

WBC to picket funeral of Army Spc. Benjamin A. Smith -- 10 a.m., Fri.,
Nov.
11, at Bethel Lutheran Leper Colony, 920 3rd St., Hudson, Wisc. Killed by
an
Iraqi IED.

WBC to picket funeral of Army Maj. Gerald M. Bloomfield II -- 4 p.m.
Friday
Nov. 11, Stearns-Lawson-Peterson Funeral Home, Elkhart, Indiana. Killed by
Iraqi IED.

No virus found in this incoming message.

Checked by AVG.

Version: 7.5.524 / Virus Database: 269.23.16/1432 - Release Date: 5/14/2008 7:49 AM

BROWN008011

EXHIBIT 23

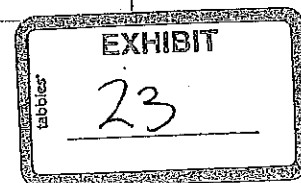
Trademark/Service Mark Application, Principal Register

Serial Number: 77383586

Filing Date: 01/29/2008

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77383586
MARK INFORMATION	
*MARK	PATRIOT GUARD RIDERS
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	PATRIOT GUARD RIDERS
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Patriot Guard Riders, Inc.
*STREET	2448 E. 81st Street, Suite 5900
*CITY	Tulsa
*STATE (Required for U.S. applicants)	Oklahoma
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	74137-4259
PHONE	312-704-1890
FAX	312-704-8023
EMAIL ADDRESS	ptodocket@trexlaw.com
LEGAL ENTITY INFORMATION	



TYPE	corporation
STATE/COUNTRY OF INCORPORATION	Oklahoma
GOODS AND/OR SERVICES AND BASIS INFORMATION	
*INTERNATIONAL CLASS	006
*IDENTIFICATION	Metal license plates
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 12/09/2005
FIRST USE IN COMMERCE DATE	At least as early as 12/09/2005
SPECIMEN FILE NAME(S)	\\TICRS2\EXPORT15\773\835 \\77383586\xml1\APP0003.JP G
SPECIMEN DESCRIPTION	Scanned photograph of mark applied to the goods
*INTERNATIONAL CLASS	014
*IDENTIFICATION	Ornamental pins; commemorative coins
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 12/14/2005
FIRST USE IN COMMERCE DATE	At least as early as 12/14/2005
SPECIMEN FILE NAME(S)	\\TICRS2\EXPORT15\773\835 \\77383586\xml1\APP0004.JP G
SPECIMEN DESCRIPTION	Scanned photograph of mark applied to the goods
*INTERNATIONAL CLASS	024
*IDENTIFICATION	Cloth banners; fabric flags
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 11/29/2005
FIRST USE IN COMMERCE DATE	At least as early as 11/29/2005
SPECIMEN FILE NAME(S)	\\TICRS2\EXPORT15\773\835 \\77383586\xml1\APP0005.JP G
SPECIMEN DESCRIPTION	Scanned photograph of mark applied to the goods
*INTERNATIONAL CLASS	025

*IDENTIFICATION	Hats; short-sleeved and long-sleeved t-shirts; sweatshirts; doo-rags
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 12/08/2005
FIRST USE IN COMMERCE DATE	At least as early as 12/08/2005
SPECIMEN FILE NAME(S)	\\TICRS2\EXPORT15\773\835 \77383586\xml1\APP0006.JP G
SPECIMEN DESCRIPTION	Scanned photograph of mark applied to the goods
*INTERNATIONAL CLASS	026
*IDENTIFICATION	Embroidered patches for clothing; armbands
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 12/23/2005
FIRST USE IN COMMERCE DATE	At least as early as 12/23/2005
SPECIMEN FILE NAME(S)	\\TICRS2\EXPORT15\773\835 \77383586\xml1\APP0007.JP G
SPECIMEN DESCRIPTION	Scanned photograph of mark applied to the goods
*INTERNATIONAL CLASS	045
*IDENTIFICATION	Organizing and conducting support groups in the field of combat veterans and their families
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 11/09/2005
FIRST USE IN COMMERCE DATE	At least as early as 11/09/2005
SPECIMEN FILE NAME(S)	\\TICRS2\EXPORT15\773\835 \77383586\xml1\APP0008.JP G
SPECIMEN DESCRIPTION	Printout of web site page
ATTORNEY INFORMATION	
NAME	James R. Foley
ATTORNEY DOCKET NUMBER	2569/47154/2
FIRM NAME	Trexler, Bushnell, Giangiorgi, Blackstone & Marr, Ltd

STREET	105 W. Adams, 36th Floor
CITY	Chicago
STATE	Illinois
COUNTRY	United States
ZIP/POSTAL CODE	60603
PHONE	312-704-1890
FAX	312-704-8023
EMAIL ADDRESS	ptodocket@trexlaw.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
OTHER APPOINTED ATTORNEY	David J. Marr
CORRESPONDENCE INFORMATION	
NAME	James R. Foley
FIRM NAME	Trexler, Bushnell, Giangiorgi, Blackstone & Marr, Ltd
STREET	105 W. Adams, 36th Floor
CITY	Chicago
STATE	Illinois
COUNTRY	United States
ZIP/POSTAL CODE	60603
PHONE	312-704-1890
FAX	312-704-8023
EMAIL ADDRESS	ptodocket@trexlaw.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
NUMBER OF CLASSES	6
FEE PER CLASS	325
*TOTAL FEE DUE	1950
*TOTAL FEE PAID	1950
SIGNATURE INFORMATION	

SIGNATURE	/james r. foley/
SIGNATORY'S NAME	James R. Foley
SIGNATORY'S POSITION	Attorney of record
DATE SIGNED	01/29/2008

PTO Form 1478 (Rev 9/2006)
OMB No. 0651-0009 (Exp 12/31/2008)

Trademark/Service Mark Application, Principal Register

Serial Number: 77383586

Filing Date: 01/29/2008

To the Commissioner for Trademarks:

MARK: PATRIOT GUARD RIDERS (Standard Characters, see mark)

The literal element of the mark consists of PATRIOT GUARD RIDERS.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Patriot Guard Riders, Inc., a corporation of Oklahoma, having an address of

2448 E. 81st Street, Suite 5900

Tulsa, Oklahoma 74137-4259

United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

International Class 006: Metal license plates

Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, or the applicant's predecessor in interest used the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

In International Class 006, the mark was first used at least as early as 12/09/2005, and first used in commerce at least as early as 12/09/2005, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Scanned photograph of mark applied to the goods.

Specimen File1

International Class 014: Ornamental pins; commemorative coins

Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, or the applicant's predecessor in interest used the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

In International Class 014, the mark was first used at least as early as 12/14/2005, and first used in commerce at least as early as 12/14/2005, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Scanned photograph of mark applied to the goods.

Specimen File1

International Class 024: Cloth banners; fabric flags

Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, or the applicant's predecessor in interest used the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

In International Class 024, the mark was first used at least as early as 11/29/2005, and first used in commerce at least as early as 11/29/2005, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Scanned photograph of mark applied to the goods.

Specimen File1

International Class 025: Hats; short-sleeved and long-sleeved t-shirts; sweatshirts; doo-rags

Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, or the applicant's predecessor in interest used the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

In International Class 025, the mark was first used at least as early as 12/08/2005, and first used in commerce at least as early as 12/08/2005, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Scanned photograph of mark applied to the goods.

Specimen File1

International Class 026: Embroidered patches for clothing; armbands

Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, or the applicant's predecessor in interest used the mark in

commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

In International Class 026, the mark was first used at least as early as 12/23/2005, and first used in commerce at least as early as 12/23/2005, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Scanned photograph of mark applied to the goods.

Specimen File1

International Class 045: Organizing and conducting support groups in the field of combat veterans and their families

Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, or the applicant's predecessor in interest used the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

In International Class 045, the mark was first used at least as early as 11/09/2005, and first used in commerce at least as early as 11/09/2005, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Printout of web site page.

Specimen File1

The applicant hereby appoints James R. Foley and David J. Marr of Trexler, Bushnell, Giangiorgi, Blackstone & Marr, Ltd

105 W. Adams, 36th Floor

Chicago, Illinois 60603

United States

to submit this application on behalf of the applicant. The attorney docket/reference number is 2569/47154/2.

Correspondence Information: James R. Foley

105 W. Adams, 36th Floor

Chicago, Illinois 60603

312-704-1890(phone)

312-704-8023(fax)

ptodocket@trexlaw.com (authorized)

A fee payment in the amount of \$1950 has been submitted with the application, representing payment for 6 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and

the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /james r. foley/ Date Signed: 01/29/2008
Signatory's Name: James R. Foley
Signatory's Position: Attorney of record

RAM Sale Number: 2982
RAM Accounting Date: 01/30/2008

Serial Number: 77383586
Internet Transmission Date: Tue Jan 29 18:09:21 EST 2008
TEAS Stamp: USPTO/BAS-67.36.193.194-2008012918092131
9546-77383586-4002eded1ba5ee99cd3831b5b4
be564597-DA-2982-20080129165750856196

PATRIOT GUARD RIDERS

EXHIBIT 24



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word Mark MICHIGAN PATRIOT GUARD RIDES WITH RESPECT

Goods and Services IC 035. US 100 101 102. G & S: Promoting public awareness of veterans and sincere respect for fallen veterans/heroes, their families, and their communities, including by attending the funeral services of fallen American soldiers. FIRST USE: 20100203. FIRST USE IN COMMERCE: 20100203

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code
01.01.13 - Stars - multiple stars with five points
01.17.11 - Maps of states of the United States, excluding Texas
03.15.01 - Eagles
03.15.19 - Birds or bats in flight or with outspread wings
24.09.05 - American flags; Flags, American
26.01.18 - Circles, three or more concentric; Concentric circles, three or more; Three or more concentric circles
26.01.21 - Circles that are totally or partially shaded.
26.05.21 - Triangles that are completely or partially shaded

Serial Number 77958528

Filing Date March 14, 2010

Current Filing Basis 1A

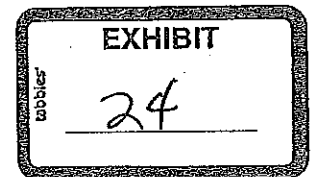
Original Filing Basis 1A

Owner (APPLICANT) Michigan Patriot Guard CORPORATION MICHIGAN, 2915 S. Cambridge Rd. Lansing MICHIGAN 48911

Attorney of Record Timothy J. Jordan

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MICHIGAN OR THE DESIGN OF THE STATE OF MICHIGAN" APART FROM THE MARK AS SHOWN

Description of Mark The color(s) gold, black, yellow, red, blue, white and brown is/are claimed as a feature of the mark. The mark consists of multiple images within a circle. The outermost ring is gold in color. The next ring is black and contains the words "MICHIGAN PATRIOT GUARD" along the top and "RIDES WITH RESPECT" along the bottom of the circle written in the color gold. This black ring also contains a blue star on the left side and a yellow star on the right side. The inner circle



contains a portion of the faded United States flag colored in red, white and blue. Within the flag is a cut-out of the State of Michigan colored in blue with a drop shadow inside and a red border around it. Also contained within the inner circle is an American Bald Eagle with brown feathers along the wings and body and with white feathers around the head and tail. Also contained within the inner circle is a yellow triangle with a blue interior with six white stars at the bottom of the inner most circle.

ie of
mark
Register
Live/Dead
Indicator

SERVICE MARK
PRINCIPAL
LIVE

TEST HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DOC	SEARCH LOG	TOP	HELP	PREV LIST	CURR LIST	NEXT LIST	FIRST DOC
PREV DOC	NEXT DOC	LAST DOC									

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EXHIBIT 25



United States Patent and Trademark Office

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Trademarks > Trademark Electronic Search System (TESS)

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Word Mark NEVADA PATRIOT GUARD BATTLE BORN NEVADA 36

Goods and Services IC 014. US 002 027 028 050. G & S: Cloisonne pins; Commemorative coins; Jewelry pins for use on hats; Lapel pins; Ornamental lapel pins; Ornamental pins; Souvenir pressed coins. FIRST USE: 20060101. FIRST USE IN COMMERCE: 20060101

IC 016. US 002 005 022 023 029 037 038 050. G & S: Appliques in the form of decals; Decals; Decorative decals for vehicle windows

IC 026. US 037 039 040 042 050. G & S: Cloth patches for clothing; Embroidered patches for clothing; Ornamental cloth patches; Ornamental novelty pins. FIRST USE: 20060101. FIRST USE IN COMMERCE: 20060101

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code
01.01.10 - Stars, three or more; Three or more stars
01.01.13 - Stars - multiple stars with five points
01.17.11 - Maps of states of the United States, excluding Texas
05.05.25 - Daffodils; Iris (flower); Other flowers
05.15.02 - Laurel leaves or branches (borders or frames); Wreaths
24.09.01 - Flags, rectangular or square, excluding American flag or checkered flag
24.09.07 - Advertising, banners; Banners
26.09.21 - Squares that are completely or partially shaded

Serial Number 85058681

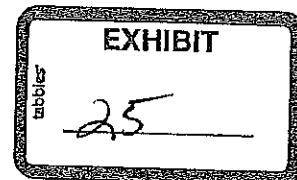
Filing Date June 9, 2010

Current Filing Basis 1A;1B

Original Filing Basis 1A;1B

Owner (APPLICANT) American Legion Paradise Post 149 CORPORATION NEVADA P.O. Box 70184 Las Vegas NEVADA 89170

Description of Mark The color(s) Yellow, Blue is/are claimed as a feature of the mark. The mark consists of The outline of the patch is the geographical outline of Nevada. The Nevada state flag in the middle is the patch. The Nevada State Flag is cobalt blue. In



the upper left hand corner are two sprays of sagebrush, the Nevada State Flower, in a semi-circular design. Above the sprays is the state name, "NEVADA", a Spanish word for "Snowclad" as a reminder of the great peaks of the Sierra Nevada mountain range. Above the state name is a silver star representing the Nevada State Mineral, Silver and the wealth of mineral resources within the state. The words "BATTLE BORN" on the gold scroll above the star testify that Nevada was admitted to the union during the Civil War. The three stars to the left of the flag and six stars to the right of the flag, with the numbers 3 and 6 respectively, represent Nevada's admission to the Union as the 36th State.

Type of
Mark TRADEMARK
Register PRINCIPAL
Live/Dead
Indicator LIVE

RESS HOME	NAV USER	STRUCTURE	PROD FORM	PROVA BIC	SEARCH OC	TOP	HELP	PREV LIST	CURR LIST	NEXT LIST	FIRST Doc
PREV Doc	NEXT Doc	LAST Doc									

| HOME | SITE INDEX | SEARCH | eBUSINESS | HELP | PRIVACY POLICY

EXHIBIT 26

Just thinking outside the box.

Ron

— Original Message —

From: Jeff Brown
To: RAYMOND & PAM RUSSELL

Cc: R n B Groves

Sent: Wednesday, December 05, 2007 6:28 PM

Subject: RE: Extremely Confidential!!!

Ray,

Trust me, I have no desire to be in charge again. Snap asked me to be an advisor to the board, but the board voted that down. I would love to see the organization become democratic...maybe each state ELECT a "National Liaison" who would represent the state and it's issues with national. These National Liaison members would have a set term and they would elect all officers and board members. Sounds like a great way to govern to me.

Neal and I are still working on another plan to get the flag deal done...we're not going to give up on that.

Thanks,

Jeff

— Original Message —

From: RAYMOND & PAM RUSSELL [mailto:rayandpam@gmail.com]

Sent: Wednesday, December 05, 2007 2:55 PM

To: Jeff Brown

Cc: R n B Groves

Subject: RE: Extremely Confidential!!!

Hi, Jeff. Much of this news comes as no surprise. These people have stepped in a fresh cow patti and don't want anyone to see the mess they have made tracking it around.

Most people who are in the top echelon anywhere lack the balls to stand up for what is right.

The fact that they will not even respond to Neal is a good example. I'm sure they all feel a lot of insecurities right now and justifiably so. The proposal you made thru Neal would be fantastic but it is not of THEIR doing so they just put you on IGNORE. So who pays for their inability to lead? The troops and the rank and file. And in truth, they could care less.

With out going thru your message line for line, I would just say that Wallin has duped a lot of people and has indeed committed several felonies and for this, he should be jailed.

I hope all the trademark issues get resolved quickly and quietly so you can retain ownership and the PGR will get back on track at the top.

Who's to say that more people up there are not raking in some "fringe benefits"? They could well be and it would be of no surprise here. Just like Union bosses. "Yea for me and screw you".

Anything I can do for you here at my level, please don't hesitate to let me know, Jeff. Right now there is nothing more I would like to do than to be somewhat instrumental in getting this mess cleared up and getting you back in charge to see the PGR is run RIGHT again.

Wish I were back in Illinois right now. I had some good contacts there that could get the word to the AG and maybe push the Wallin issue.

But those days are gone.

Keep on keepin on, Brother. We will win this one because IT'S THE RIGHT THING TO DO.

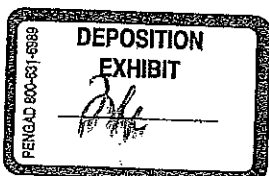
Highests respects always,

Ray

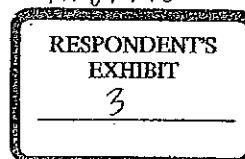
On Dec 5, 2007 10:04 AM, Jeff Brown <jeffbrown@valornet.com> wrote:
Hey Guys,

I'll try to respond to all questions in this email. If I miss anything it's probably because I don't know the answer.

Most BOD members will not reply to anything in writing if they feel like it may be a legal issue...that way it can't come back to bite them in the ass. If it comes from me, they do not respond at all.



Brown
✓
Patriot



BROWN006067

Example:

Neal Heuppel "82nd airborne dad" has an unofficial program to ship PGR flags to troops in the sandbox. Any member can buy a flag from Twister's or the other PGR store, send it to Neal, along with a check for \$5.25 for shipping, and he'll send it to their loved one serving in the box. It's on the Homepage of the PGR Website. I contacted Neal with the following idea and he loved it. If anyone purchased a flag from me for the "Flags for the Troops" program, I would donate the \$5.25 for shipping it overseas. I contacted Ronny Awtry, PGR Treasurer and Director of the HOTH, asking if I could make a donation "earmarked" for Flags for the Troops, and be assured it would go to Neal to cover the shipping costs. No reply. I made a second request...again, no reply. Now, putting all the crap and egos aside, wouldn't this be good for the PGR and the troops? Seems like a "no-brainer" to me. At any rate, that's how they deal with me...they don't.

There is no way any of these folks will ever apologize to me...they have dug their hole to deep and would have to admit that they allowed their ego's to get out of control for a very long period of time.

Feel free to share this with you "retired contact" to get his take on it, as long as he keeps it all confidential and takes no action.

I agree that Wallin should be prosecuted, and hopefully the Illinois AG will go forward with that. If the AG chooses not to take any action, I do not believe the BOD will pursue it any further. By doing so, they would have to make the whole issue public and admit that one of their own, the one who initiated the "coup" a year ago, was stealing money and they were duped by him for all that time. They would also have to admit that they I brought the evidence to their attention while I was still Executive Director, tried to get the truth by hiring an outside accountant, and they have chosen to do nothing and sit on it all this time. Additionally, remember, up until recently Wallin still owned the PGR website domain name and the servers running the website. He could have shut the organization down on the internet at a moment's notice. The BOD may have cut some kind of deal with him to release all of that if the do not prosecute. I have no idea. I find it hard to believe that any other BOD members were involved in the embezzlement of funds. However, Ed Mueller's long time friend owns CDM, the outsourcing company that runs the other PGR store.

I told you I had something in the works that would take about 30 days...As you may know, back when I started Twister's Store, a PGR member who is an attorney contacted me and said he would handle the Trademark issues "Pro bono". Over the next year, we worked on it and I assumed it had all been completed. When Wallin staged his coup, he did a search for the trademark to discover that all but the final step had been done. He immediately copied my logo and filed it as his trademark under the PGR, Inc. My attorney got the final award was tagged to be given to the PGR unless there is any opposition. Anyone who believes they have a claim to that trademark can file an opposition to the award. The trademark commission will hear the case and render a judgment. It's just like a trial and is very expensive. My attorney has filed for and received a 30 day extension on the opposition and sent a letter to the PGR attorney and BOD advising them that we would be filing opposition. This was done in an effort to attempt to reach mediation before it goes to "opposition" and both sides spend a lot of money with attorneys that could be used elsewhere.

Wallin did a bunch of this wrong in his filing and my attorney tells me there is no way they can win if it goes to opposition.

- First, and most obvious, is that I created the organization, the name and the logo and have all the documentation to prove it.
- When you file a trademark application, you must attest that you are not aware of anyone else using that trademark. Wallin knew that I had been using the trademark for over a year. This constitutes filing a fraudulent application and is a very serious issue with the commission.
- Wallin filed it using the original "Riding With Respect", and all their products have "Standing For Those Who Stood For Us".
- Wallin filed it under PGR, Inc, which was not even a "legal" association at the time of filing.
- In the opposition stage, more important than filing date, is first commercial use. I can prove that I was using the name and logo commercially for over a year before Wallin's filing.
- Wallin filed only one application...basically for use as an association name. We filed for that and, in addition, a list of products for sale to support the trademark.

My settlement proposal is basically the following:

1.) That the organization permanently reinstate the identification of him as the Founder Emeritus on the National Leadership page as established by former Executive Director, Bill Lines.

2.) That PGR engage in a policy of non-disparagement against Mr. Brown and enforce the terms and conditions of its online forums. There have been several instances of libelous behavior by a few members of PGR, Inc., board of directors and others on the PGR, Inc. website, and in emails, which in many cases have been direct violations of PGR, Inc.'s terms of use on its online forums.

3.) That any fees that he has been forced to expend on this matter be reimbursed to him.

4.) Mr. Brown will provide an annual, renewable license for the use of the trademark on certain approved promotional products to be sold by the organization in order to raise funds for the organization. In lieu of a royalty fee, Mr. Brown will accept the replacement of the link to Twister's PGR Store on the association's homepage as consideration for the license.

BROWN006068

They have until December 21st to respond, or we will be forced to file for opposition. If they put their egos aside and do what is right, we'll settle this thing out of court without expending any more funds. However, if they do not, I'll mortgage my home if necessary to fight them on this. Now, once this is finalized, it gives me the authority to control the use of the trademark commercially. That means I can compel any outsource company I license to pay the PGR a percentage of the GROSS proceeds, not this "100% of the profit" crap! Any idiot knows that if you have no access to the financial records of a private company that is supposed to pay you "100% of the profits", you're asking to get screwed...uh, I think I need a \$100K salary and a company jet...those a "expenses", so they come right off the top, before we calculate profit for the PGR". DUH!

Hopefully, this will also allow us to get some control over all the "PGR" products being sold under individual states so we keep the PGR image unified across the country.

Anyway, this is what's going on at this point.

Thanks,
Jeff

In the words of President Teddy Roosevelt, "We have room for but one flag, the American flag... We have room for but one language here, and that is the English language... and we have room for but one sole loyalty and that is a loyalty to the American people."

In the words of President Teddy Roosevelt, "We have room for but one flag, the American flag... We have room for but one language here, and that is the English language... and we have room for but one sole loyalty and that is a loyalty to the American people."

In the words of President Teddy Roosevelt, "We have room for but one flag, the American flag... We have room for but one language here, and that is the English language... and we have room for but one sole loyalty and that is a loyalty to the American people."

In the words of President Teddy Roosevelt, "We have room for but one flag, the American flag... We have room for but one language here, and that is the English language... and we have room for but one sole loyalty and that is a loyalty to the American people."

In the words of President Teddy Roosevelt, "We have room for but one flag, the American flag... We have room for but one language here, and that is the English language... and we have room for but one sole loyalty and that is a loyalty to the American people."

BROWN006069

EXHIBIT 27

From: Ugly Troll [uglytroll@comcast.net]
Sent: Wednesday, January 16, 2008 9:10 PM
To: Jeff Brown
Subject: Just to say hey!

Jeff, well, things seem to be getting a bit dicey lately! Here in Massachusetts, when I first signed up for PGR, we had a state captain who appeared to be the victim of a smear campaign by someone who coveted his position. This first captain, Harvey, seemed ok to me. I never met him, but spoke to him several times on the phone, and in fact, he's the guy who appointed me as a permanent ride captain for western Mass. When guy 2 came into the picture, he also began calling me, in an apparent attempt to me to take his side.....I told both of them I would not get into their pissing contest and leave me out of it. They did. Approximately a year ago, the new state captain, informed me he was the target of some disgruntled individuals who wanted him out. This so irritated me I felt I could no longer continue and so sent him a msg informing him of my decision. I told him lots of things and ended by suggesting he look in the mirror and if he didn't like what was looking back at him he should "do the right thing!" I also sent msgs to the rest of the Mass leadership team informing them of my decision. The next day, I got msgs from everyone of them pleading with me not to resign. That evening, my wife and I talked things over and she suggested I should stay as my involvement with PGR had been very therapeutic for me. (first time since Viet Nam I really felt "good") So I slept on it and the next day when I got home from work I opened my email to let everyone know I had reconsidered and would stay on. Much to my surprise, I found that the entire Mass team had resigned enmasse, many of them quoting me from my notice of resignation.....now.....looks like I need to think about things again. Why can't people just leave things alone? Seems to me the original intent of the PGR was so pure.....it filled a void that has long been desperately needing something to fill it. I've stood the flag lines and cried time after time.....and come away feeling so much better, so much clearer in my life than I've in a very long time.....I have hugged countless families and become so close with so many of them.....I've participated in many community events and parades at the direct invitation of veteran's groups and mayors.....now more so! I should have known better. The whole point of this is just to let you know you have at least one supporter out here. I have known for example since the first day I joined that your store was for profit. I never felt this was a "secret" or that you had made any attempt to deceive anyone. I don't understand how anyone could possibly think otherwise. As far as I can tell, you have always been aboveboard and straight with people. I still feel the same way. There are not a whole lot of people in this world I trust much; you are one of those folks. For as long as I can last in this group, I will continue to do business with your store. Thanks

oll

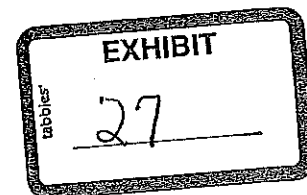


EXHIBIT 28

Original Message-----

From: info@patriotguard.org [mailto:info@patriotguard.org]

Sent: Tuesday, March 27, 2007 8:22 AM

To: david.erickson@suddenlink.net

Subject: PGR Forums - New Post RE: NEW PGR PATCHES

27 Mar 2007 8:21 AM a message was posted to a thread you were tracking.

: NEW PGR PATCHES

PDDGM

, I am not going to get into a pissing contest with anyone. I simply ask Ed to answer Twisters questions. I know you didn't ask for this not to go where it went, but it did. As you say Steam, a good deal is a good deal, except when it is publicly stated that the operator of the store is a friend of Ed's. At least with Twister we KNEW who owned the store. As far as donations from Twister, it seems we have a conflict there, he says last month you say last year. All I ask for everything to be above board and open for all to see. Zinobile, we must have open operation of the PGR and all its parts, profit is one thing, absolute rule and my way or the hiway ain't gonna cut it with me.

: Smith

: Mo Ride Capt

view the complete thread and reply, please visit:

<http://www.patriotguard.org/ALLForums/tabid/61/view/topic/postid/466183/ptarget/469096/Default.aspx>

You were sent this email because you opted to receive email notifications when someone responded to this thread. To unsubscribe to this thread please visit your user profile page delete this post from your subscribed topics.
Thank you, Patriot Guard Riders

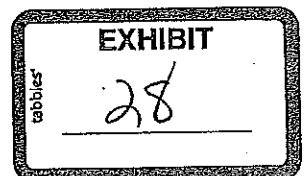


EXHIBIT 29

From: Bill Miller [1badpig@insightbb.com]
Sent: Sunday, August 12, 2007 9:04 PM
To: EBaker1954@aol.com; monica@minipatriotguard.org; blines@charter.net; bonnie@patriotguard.org
Cc: harly69g@bellsouth.net; inpg@rcfpro.com; wva@patriotguard.org; jeffbrow@valonet.com; statecapthawaii@hawaii.rr.com; tony@danriverregion.com; leclairtodd@yahoo.com; desertdoc_idaho@yahoo.com; sandy_in_sc@yahoo.com; rmoyerjr@yahoo.com; ohlocaptains@patriotguard.org; maryland@patriotguard.org; RICHCOP@aol.com; lindy75@patriotguard.org; pops01harley@yahoo.com; qgolden@worldpath.net; stealthscorpio@yahoo.com; kingshadow506@charter.net; moritz1111@hotmail.com; mike.a.long@us.army.mil; mav_58@hotmail.com; nc@patriotguard.org; Matterj012@cs.com; tohldu@cox.net; hellraiserusmc@patriotguard.org; tinman392@hotmail.com; JCurran516@aol.com; minipatriotguard@gmail.com; Nuckles43@aol.com; cowboy@washingtonstatepatriotguardriders.org; norton@patriotguard.org; jake51@yahoo.com; sandersj26@aol.com; jeffrey.lee.anderson@us.army.mil; kentucky@patriotguard.org; geraldgalnes@windstream.net; gapointman@gmail.com; ripgr@cox.net; waitaminit@patriotguard.org; wisefair@airmail.net; vstarrider03@msn.com; c.mahnen2003@yahoo.com; bear_pgr@yahoo.com; vtcvma@comcast.net; ca@patriotguard.org; charger@patriotguard.org; sig22@patriotguard.org; bob@careerresources.org; spocon@nac.net; missouri@patriotguard.org

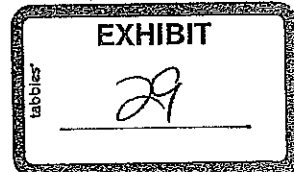
Subject: RE: High Priority - Sorry

Take me off of all of your PGR mailing list.
I'm sick and tired of the cry babies about this and that BULLSHIT.
The problem is that everyone wants to be the CHIEF and there isn't enough Indians.

Bill Miller
(502) 773-4232

From: EBaker1954@aol.com [mailto:EBaker1954@aol.com]
Sent: Sunday, August 12, 2007 10:54 AM
To: monica@minipatriotguard.org; blines@charter.net; bonnie@patriotguard.org
Cc: harly69g@bellsouth.net; inpg@rcfpro.com; wva@patriotguard.org; jeffbrow@valonet.com; statecapthawaii@hawaii.rr.com; tony@danriverregion.com; leclairtodd@yahoo.com; desertdoc_idaho@yahoo.com; sandy_in_sc@yahoo.com; rmoyerjr@yahoo.com; ohlocaptains@patriotguard.org; maryland@patriotguard.org; RICHCOP@aol.com; lindy75@patriotguard.org; pops01harley@yahoo.com; qgolden@worldpath.net; stealthscorpio@yahoo.com; kingshadow506@charter.net; moritz1111@hotmail.com; mike.a.long@us.army.mil; mav_58@hotmail.com; nc@patriotguard.org; Matterj012@cs.com; tohldu@cox.net; hellraiserusmc@patriotguard.org; tinman392@hotmail.com; JCurran516@aol.com; minipatriotguard@gmail.com; Nuckles43@aol.com; cowboy@washingtonstatepatriotguardriders.org; norton@patriotguard.org; jake51@yahoo.com; sandersj26@aol.com; jeffrey.lee.anderson@us.army.mil; kentucky@patriotguard.org; geraldgalnes@windstream.net; gapointman@gmail.com; ripgr@cox.net; waitaminit@patriotguard.org; wisefair@airmail.net; vstarrider03@msn.com; c.mahnen2003@yahoo.com; bear_pgr@yahoo.com; vtcvma@comcast.net; ca@patriotguard.org; charger@patriotguard.org; sig22@patriotguard.org; bob@careerresources.org; spocon@nac.net; missouri@patriotguard.org
Subject: High Priority - Sorry

First of all "SORRY" but I've listened to you all now I ask you to hear me. I for one was always mystified about this whole deal of Jeff suddenly stepping down with little or no explanation. But I for the most part stayed out of it. Jeff is a big boy and he did what he thought he had to do at the time. A lot of you know me and I'm not one to walk away from a fight as some experienced last year, but that honestly is water under the bridge on my part. Anyway, Jeff stepped down and we moved on or so I thought. Way back before the crap hit the fan I knew that the store was a private enterprise and Jeff never hid that part. He was up front that it



as there to HELP support the PGR in it's endeavors. Nothing more, nothing less did I read into that. Yet when the crap hit, Many
 any people suddenly turned into fair weather friends of Jeff and flew the coop. That's a sorry statement of their character. I was
 e one mentioned in an earlier email or post on this whole mess that used Jeff's design to come up with a so called state PGR
 itch first. Jeff saw it at the first GOTH in 06 and asked me about it and gave me permission to use it to help cover expenses in
 ssissippi. He asked nothing in return. He didn't have to do that but his heart was in the right place. So this may be why I'm
 anding up for this man.

for Jason, I have had nothing but good dealings with the man when we have crossed paths and I will leave it at that.
 ow after the crap has hit the fan and "Let drag Jeff's butt through the mud "ONE MORE TIME" is going around I'm stepping up.
 iff, you're a better man than me. If I had been in your shoes and others tried to do to me what you state they did to you, the
 dians (I'm Cherokee) would have won this time. Anyone that knows me knows I'm not blowing hot air up your butt on that
 atement.

ter reading Jeff's email, one thing about Jeff that I have to say at this point is he didn't try to take anyone down with him when he
 ant So Jeff, I do respect you for that more than I can convey in this email. Your actions speaks volumes about your character.
 re of two things need to happen now. Either bury this dirty laundry now as some are trying to do or CLEAN HOUSE! Hold ALL
 ose accountable that were in the wrong and fix it so that the PGR can say we live by what we preach.

rap, I now, more than ever appreciate what you had to go through. You are without a doubt in my mind a "PEACEMAKER". You
 ive been pulled in many directions at once and yet you have tried to keep peace within the ranks though all this turmoil. But if
 rat Jeff has stated is true, you need to step up for the man. At least let everyone know if what Jeff has stated is true or not. Will it
 : the problem? No. But at least Jeff will get back some the respect due him.

UH DUH! All done.

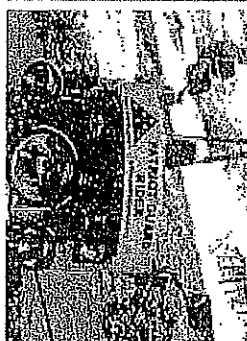
J Baker, SC for the Great State of Mississippi

et a sneak peek of the all-new AOL at <http://discover.aol.com/memed/aolcom30tour>

EXHIBIT 30



EXHIBIT 31



Banners are made of heavy 13 oz. canvas/vinyl material.

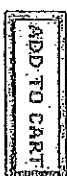
They are approximately 28" long by 4" tall and have grommets in the ends. Taking them on and off in a snap. Most riders use small bungee cord to attach them, but you could do it some other way.

The bright yellow with navy blue lettering and logo will give us a great deal of exposure on our mission rides.

\$14.95 each

FREE S&H

Quantity



PGR Vest Patch

Click thumbnail for larger image



They are 2" x 3" so they should fit about anywhere (I know many of us old timers are running out of vest room).

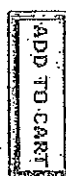
They are embroidered on twill with plastic back and stitched edges.



\$3.50 each

FREE S&H

Quantity



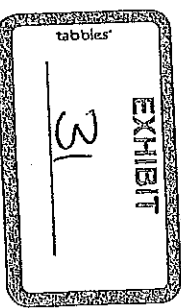
Regarding the PGR Online Store:

A couple of people have asked about having a friend offer to duplicate some of our stuff for free to help the cause. Our PGR name and log is copyrighted for a reason. The revenue generated from the sale of PGR products enables us to operate this site and continue to grow the organization without any dues, donations or fees. We also have other plans down the road.

All associations have their own stores (VFW, AL, RFTW, etc.) and do not allow reproductions for the same reasons. We've also tried to keep our pricing lower than comparable products through other associations. I hope you understand and support this policy.

Best regards,
Jeff "Twister" Brown

Copyright © 2006 by PGR Store :: Policies & Contact Info



PGR 000240

1 UNITED STATES PATENT & TRADEMARK OFFICE
2 BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

3
4 JEFF BROWN,

5 Opposer and Petitioner,

6 vs.

7 PATRIOT GUARD RIDERS, INC.,

8 Applicant and Respondent,

COPY

} Opposition.
No. 91181448

} Serial No.
77/040,379

9
10 - - - - -

11
12 VOLUME II OF THE TRIAL

13 DEPOSITION OF JEFF BROWN, produced as a witness
14 on behalf of the Opposer and Petitioner in the
15 above styled and numbered cause, taken on the 7th
16 day of April, 2011, in the City of Tulsa, County
17 of Tulsa, State of Oklahoma, before me, Nichole
18 M. Myers, a Certified Shorthand Reporter, duly
19 certified under and by virtue of the laws of the
20 State of Oklahoma.

A P P E A R A N C E S

FOR THE OPPOSER
AND PETITIONER:

Ms. Rachel Blue
Attorney at Law
1717 South Boulder Avenue
Suite 900
Tulsa, OK 74119

FOR THE APPLICANT
AND RESPONDENT:

Mr. James A. O'Malley
Attorney at Law
150 North Michigan Avenue
Suite 2700
Chicago, IL 60601

ALSO PRESENT:

Mr. Bill Richart

I N D E XW I T N E S SP A G E

JEFF BROWN, VOL II

Cross-Examination By Mr. O'Malley	133
Redirect Examination By Ms. Blue	217
Recross-Examination By Mr. O'Malley	227
Signature Page	230
Certificate Page	231

1 *(Whereupon, the deposition began at*
2 *8:39 a.m.)*

3 JEFF BROWN.

4 after having been duly sworn to testify the
5 truth, the whole truth, and nothing but the
6 truth, testified as follows:

7 CROSS-EXAMINATION

8 BY MR. O'MALLEY:

9 Q Okay. Jeff, I'm going to ask you some
10 questions in follow-up to the testimony you gave
11 yesterday. Same instructions Rachel gave you
12 yesterday. If you don't understand any of
13 questions, please let me know or ask for
14 clarification. If you need a break, let me know.
15 But same thing, don't request one after I've
16 asked a question before you've answered
17 basically.

8:39AM

8:39AM

18 Do you have the set of exhibits --

19 A I do.

20 Q -- that we used yesterday. Okay. Let's go
21 to Exhibit 1. This is a copy of the
22 incorporation papers for Patriot Guard Riders,
23 Inc.; is that correct?

8:39AM

24 A Yes.

25 Q Okay. And this document shows on the first

8:40AM

1 page, which is identified at the bottom as PGR
2 000685, that Patriot Guard Riders, Inc. was
3 incorporated on February 21st, 2006; is that
4 correct?

8:40AM

5 A Yes.

8:40AM

6 Q Okay. Can we turn to the second page, PGR
7 000686. This document on this page it identifies
8 you as the agent for Patriot Guard Riders, Inc.;
9 is that correct?

10 A Yes.

8:40AM

11 Q Okay. Staying on that page, a little
12 farther down, it further identifies you as one of
13 the incorporators for Patriot Guard Riders; is
14 that correct?

15 A Yes.

8:40AM

16 Q Let's turn to the next page. At the top it
17 identifies you as one of the directors for
18 Patriot Guard Riders; is that correct?

19 A Yes.

20 Q Okay. And farther down, it identifies you
21 as the President of the Patriot Guard Riders;
22 right?

8:41AM

23 A Yes.

24 Q Okay. Okay. You had also testified that
25 you owned the PGR store; --

8:41AM

8:41AM

1 A Yes.

2 Q -- is that correct?

3 A No, my wife owned the PGR store.

4 Q Okay. The funds that were put into that
5 store though were shared jointly by you and your
6 wife?

8:41AM

7 A Yes.

8 Q Okay. And that store sold goods bearing
9 PGR name, PGR logo; is that correct?

10 A Yes.

8:41AM

11 Q And you testified all the profits earned by
12 the PGR store were yours and your wife's as the
13 PGR store was a for-profit entity; --

14 A Yes.

15 Q -- is that correct?

8:41AM

16 Did the PGR store exist prior to the
17 existence of PGR organization?

18 A I'm not quite sure what you mean by -- you
19 mean. Prior to starting the PGR or when it was
20 incorporated?

8:42AM

21 Q The start of the PGR.

22 A No.

23 Q So the PGR store did not exist -- the PGR
24 organization pre-incorporation existed prior to
25 the PGR store?

8:42AM

1 A Yes.

8:42AM

2 Q Okay.

3 MS. BLUE: Jim, can you clarify? Are
4 you talking about the PGR store, the LLC, or the
5 store itself?

8:42AM

6 MR. O'MALLEY: The store itself.

7 MS. BLUE: Okay.

8 Q (Mr. O'Malley) Okay. Would the store, the
9 PGR store, have had any reason to exist before
10 the PGR organization pre-incorporation came into
11 existence?

8:42AM

12 A Probably not.

13 Q And the PGR store was formed to sell goods
14 bearing the PGR name, logo, to members of the
15 organization?

8:42AM

16 A Yes.

17 Q Okay. So is it fair to state that if there
18 was not a PGR organization, that there would
19 likely not be a PGR store?

20 A Yes.

8:42AM

21 Q Okay. Let's flip back to the second page
22 of this document. The bottom it's PGR 000686.
23 On this page in the middle but a little more
24 towards the top do you see there's a statement
25 that says, this corporation is not for profit and

8:43AM

1 as such the corporation does not afford pecuniary
2 gain, incidentally or otherwise, to its
3 members; --

8:43AM

4 A Yes.

5 Q -- is that correct?

8:43AM

6 A Yes.

7 Q Okay. Thank you.

8 Okay. I want to go to Exhibit 3,
9 Plaintiff's Exhibit 3, which is -- you said some
10 of yours are not marked; is that correct?

8:43AM

11 A What does it look like there?

12 Q It's an invoice from Winters, King and
13 Associates, Inc.

14 A I have it.

15 Q Okay. Okay. Okay. Yesterday I believe
16 you identified this document as a copy of a bill
17 that was sent to you by the law firm of Winters,
18 King and Associates for their work in preparing
19 and filing the necessary papers for incorporating
20 the Patriot Guard Riders, Inc.; is that correct?

8:43AM

21 A Yes.

22 Q Okay. The top of this document it shows
23 that the bill is dated February 28th, 2006;
24 correct?

25 A Yes.

8:44AM

8:44AM

1 Q And this is obviously after the
2 incorporation date of Patriot Guard Riders, Inc.;
3 right? If you want you can refer back to --

8:44AM

4 A After --

5 Q -- Exhibit 1.

8:44AM

6 A Yes.

7 Q Because that was February 21st, 2006. Do
8 you agree or --

9 A Yeah, I don't have that -- yes.

10 Q Okay. And this document identifies at the
11 bottom a balance due of \$1,681; correct?

8:44AM

12 A Yes.

13 Q And I believe you testified that you paid
14 the Winters Law Firm for their services with your
15 own money; --

8:45AM

16 A Yes.

17 Q -- is that correct?

18 And I believe you further testified that
19 you were not reimbursed by Patriot Guard
20 Riders --

8:45AM

21 A Yes.

22 Q -- for this payment; is that right?

23 At the time you made this payment did you
24 tell the other Board members of Patriot Guard
25 Riders that you had made this payment?

8:45AM

8:45AM

1 A I don't think -- there wasn't a board at
2 that time that I can recall. I don't remember.

3 Q Okay.

4 A February, well, there may have been. I
5 don't recall whether I told them or not.

8:45AM

6 Q You can't recall whether you told them, but
7 do you know whether there was a board?

8 A I can't recall.

9 Q Okay.

10 A I'm trying to -- trying to -- see, I don't
11 remember how far along we were in trying to get
12 organized at that time, whether we actually had a
13 board or not. I don't remember.

8:45AM

14 Q Okay. Can I direct your attention back to
15 Exhibit 1.

8:46AM

16 A Okay. Legally, yeah, we had a board.

17 Q Okay. And who were the other --

18 A Would have been Jason --

19 Q -- board members?

20 A -- Wallin and Kurt Mayer.

8:46AM

21 Q Okay. Thank you.

22 So you don't know whether you told them --

23 A I don't remember --

24 Q -- that you had made this payment?

25 A -- whether I --

8:46AM

1 Q Or that it had come out of your personal
2 funds obviously then? You wouldn't -- you don't
3 know whether you would have told them that?

8:46AM

4 A No.

5 Q Did you request reimbursement from Patriot
6 Guard Riders, Inc.?

8:46AM

7 A Probably not. I don't know. I don't know
8 that we had any funds at that time other than --
9 I mean I was paying the bills personally so I
10 don't -- I don't recall whether I requested
11 reimbursement or not --

8:46AM

12 Q Okay.

13 A -- or just considered it a donation.

14 Q You considered it a donation?

15 A I said or just. I don't recall.

8:47AM

16 Q Okay. Okay. Can we move to Exhibit No. 6,
17 please? Now this is a document on the bottom
18 that has Brown 010220. And the e-mail at the top
19 has the name Betsy M. Lattimer. I'm not sure who
20 that is. Somebody who works here?

8:47AM

21 MS. BLUE: She's the paralegal in our
22 office that printed it, yeah.

23 MR. O'MALLEY: Yeah.

24 A Hold it up.

25 MS. BLUE: That's an extra copy; so

8:47AM

8:47AM

1 let's just do that for you.

2 A All right.

3 Q (Mr. O'Malley) okay. You testified
4 yesterday about this document and noted that it
5 includes a communication from Snap; is that
6 correct? If you look towards the bottom of the
7 page.

8:47AM

8 A Yes.

9 Q And Snap is Bill Lines; --

10 A Yes.

8:48AM

11 Q -- is that correct?

12 Do you know how you spell his last name?

13 A L-i-n-e-s.

14 Q Okay. Do you know whether Bill Lines used
15 the user name Snap67 on PGR's website?

8:48AM

16 A No, I don't.

17 Q Okay.

18 A I don't know.

19 Q That's fine.

20 And Bill died -- I'm sorry. Bill Lines
21 died early last year; is that correct?

8:48AM

22 A Yeah. Yes.

23 Q Did you attend his funeral?

24 A Yes.

25 Q And you personally knew Mr. Lines?

8:48AM

1 A Yes.

8:48AM

2 Q And he was at one time the Secretary for
3 Patriot Guard Riders; is that correct?

4 A I don't remember.

5 Q Was he on the Board --

8:48AM

6 A Yes.

7 Q -- with you at some point in time?

8 A Either officially or unofficially. We had
9 some times when there were people that were -- I
10 guess you could say advisors. We were still
11 struggling with structure; so we had people that
12 would attend conference calls and offer input
13 and, you know, it wasn't a real well-defined
14 structure at that time. I know Bill was on
15 conference calls and he offered input; and so my
16 inclination was he was on the Board, but I
17 couldn't swear to it.

8:49AM

8:49AM

18 Q Okay. Fair enough.

19 And he later took over as President of --
20 I'm sorry -- of Patriot Guard Riders after your
21 resignation; --

8:49AM

22 A Yes.

23 Q -- correct?

24 Okay. Do you consider Mr. Lines that he
25 was an honorable man?

8:49AM

1 A Absolutely.

8:49AM

2 Q Truthful man?

3 A Yes.

4 Q Man of integrity?

5 A Yes.

8:49AM

6 Q Do you believe that he would have ever had
7 any reason to lie about matters pertaining to the
8 PGR?

9 A I don't think so.

10 MS. BLUE: Object. calls for
11 speculation.

8:50AM

12 Q (Mr. O'Malley) Pertaining to you? Would
13 he have ever had any reason to lie about matters
14 pertaining to you?

15 A Not that I know of.

8:50AM

16 Q Pertaining to this trademark opposition?

17 A Not that I know of.

18 Q Okay. Okay. I believe you also testified
19 yesterday that you heard about a funeral for a
20 deceased soldier in Edmond, Oklahoma, where the
21 WBC would be protesting; is that correct?

8:50AM

22 A Yes.

23 Q And you further testified that you were
24 unable to find any information about this funeral
25 on the -- on the internet or wherever and

8:50AM

1 therefore resorted to using the WBC's website to
2 find out the funeral arrangement, times, dates,
3 whatnot; right?

8:50AM

4 A Yes.

5 Q Was the name of the deceased soldier for
6 who the funeral was being held was it David
7 Jeffrey Martin?

8:50AM

8 A I believe it was.

9 Q Okay. Did that funeral take place on
10 November 8th of 2005?

8:50AM

11 A Yes.

12 Q Okay. I believe you further testified that
13 you rode to the funeral in Edmond; is that
14 correct?

15 A Yes.

8:51AM

16 Q You rode on your bike?

17 A Yes.

18 Q Why did you go to the funeral?

19 A To show my support for this fallen soldier
20 and for his family.

8:51AM

21 Q Okay. And were there other bikers?

22 A Yes.

23 Q Riders?

24 I apologize. Is the proper term bikers?

25 Riders?

8:51AM

1 A Yes.

8:51AM

2 Q They can be used interchangeably. Okay.

3 I'm still, after a few of this, learning lingo
4 and whatnot.

5 Okay. But so there were other bikers in
6 attendance as well?

8:51AM

7 A Yes.

8 Q Doing the same thing -- they were there for
9 the same purpose you were there?

10 A I'm assuming they were there for the same
11 purpose.

8:51AM

12 Q Okay. Who were these other bikers?

13 A There was the group from Mulvane, Kansas,
14 American Legion Riders.

15 Q Okay.

8:51AM

16 A There were Combat Vets, Christian
17 Motorcycle Association. There were various
18 groups as well as I'm sure individuals.

19 Q Okay. And had you gone to other funerals
20 like this with other bikers prior to this date?

8:52AM

21 A Yes.

22 Q Okay. And is it fair to say that you did
23 not come up with the idea of attending to see
24 soldiers funerals to honor them and to protect
25 them from protesting --

8:52AM

8:52AM

1 A Yes.

2 Q -- at the WBC?

3 A Yes.

4 Q I believe you also testified yesterday that
5 you on -- I'm sorry. On your ride to Edmond, I
6 believe you testified that you came up with the
7 idea to use the internet to kind of set up a
8 nationwide network information center to alert
9 other bikers, veterans, of upcoming military
10 funerals; is that correct?

8:52AM

8:52AM

11 A Yes.

12 Q Isn't it true that while you were attending
13 this November 8th funeral that you discussed this
14 idea with other bikers in attendance there?

15 A Yes.

8:53AM

16 Q Who -- which bikers -- who did you speak
17 with?

18 A There was a group of them, but specifically
19 American Legion Riders from Mulvane, Kansas.
20 There were probably half a dozen or so.

8:53AM

21 Q Okay.

22 A And there was some other riders there from
23 other groups, but I -- I had gone to missions
24 that they had done and so I talked with them
25 about it.

8:53AM

1 Q Okay. Do you remember any of these
2 individual's names who you spoke with?

8:53AM

3 A Yeah, just a minute. Because I remember
4 their road names better than their real names.

5 Q That's fine. Give me what you've got.

8:53AM

6 A Bronco 6. I'm sorry, I'm drawing a blank.
7 I can't -- I can't think of their names now.

8 Q Was one of them -- was the name Terry
9 Houck?

10 A Yes.

8:54AM

11 Q Houck. I don't know how to pronounce his
12 name.

13 A Yes.

14 Q He was one of the -- is he Bronco 6 or is
15 that another individual?

8:54AM

16 A I don't remember.

17 Q Okay. Fair enough.

18 Okay. And then you've further stated --
19 oh, what was their reaction to your idea?

20 A No problem.

8:54AM

21 Q No problem?

22 A Yeah, I told them what I was going to do
23 and they said great.

24 Q Okay. So they thought it was a good idea?

25 A Yeah.

8:54AM

8:54AM

1 Q Okay. Okay. You further stated that after
2 you came home from the funeral that day -- so on
3 November 8th -- that you sent out e-mails to
4 individuals, organizations, to alert them to what
5 was happening with the WBC and to increase
6 participation at military funerals.

8:55AM

7 A I don't think I sent any out to
8 individuals.

9 Q Okay.

10 A Because I didn't know any individuals.

8:55AM

11 Q Okay.

12 A But I searched on the internet for
13 motorcycle and veteran groups across the
14 country --

15 Q Okay.

8:55AM

16 A -- and sent them to the groups. Now I say
17 that. There would have probably been an
18 individual's e-mail address that it went to, but
19 I didn't know them.

20 Q Sure. Okay. Fair enough.

8:55AM

21 Okay. Let's move on to Exhibit 8. Okay.
22 So you have Exhibit 8?

23 A Yes.

24 Q Okay. This is an e-mail string going back
25 and forth between you and Jason Wallin with all

8:56AM

8:56AM

1 the e-mails dated November 10th, 2005; is that
2 correct?

3 A Yes.

8:56AM

4 Q Okay. Midway on this page one of the
5 e-mails is from you to Jason Wallin, which
6 identifies it as being sent at 1:41 p.m. --

7 A Yes.

8 Q -- on November 10th.

9 Okay. In this e-mail you state, Jason, I
10 already have a logo that I did. I used to be in
11 that business also. I also already have a
12 company working on patches, arm bands and flags.
13 Thank the guys for me. I'm sure we can avail
14 ourselves of their offer down the road. Thanks,
15 Jeff Brown Twister, Broken Arrow, Oklahoma.

8:56AM

8:57AM

16 okay. When you state in there the part
17 that we can avail ourselves who were you
18 referring to?

19 A My wife and I.

20 Q What indication in there includes your
21 wife?

8:57AM

22 A We.

23 Q How would Jason Wallin know who we means in
24 that context?

25 A Because that's who I live with. I mean he

8:57AM

8:57AM

1 knew that Bonnie and I lived together, we were
2 married, that she was part of what I was doing.

3 Q Okay. On November 10th, 2005, he knew
4 this?

5 A Yeah.

8:57AM

6 Q Okay. When did you first come to have
7 contact with Jason Wallin?

8 A I don't remember. It would have been right
9 around that date.

10 Q And so he was aware at that time --

8:58AM

11 A That I was --

12 Q -- that you were married? Who your wife
13 was?

14 A Well, I don't know if he knew her name, but
15 he knew I was married.

8:58AM

16 Q Okay. How do you know he knew that? Had
17 you provided any documentation to that?

18 A No. I wouldn't have a reason to send him
19 any documentation of the fact that I was married.

20 Q Okay. I'm just trying to understand how he
21 would know you were married.

8:58AM

22 A I would have told him. I mean we got --

23 Q By e-mail?

24 A I don't know whether it was e-mail or over
25 the telephone or -- but I knew he was married,

8:58AM

8:58AM

1 had kids.

2 Q At that time?

3 A (Witness nods head.)

4 Q I understand you had a relationship going
5 beyond that. I'm just trying to understand as of
6 November 10th at 1:41.

8:58AM

7 A I couldn't say exactly at that time, but I
8 would assume so.

9 Q Okay. Looking through this entire
10 document, this Plaintiff's Exhibit 8, do you see
11 the words Patriot Guard Rider or Patriot Guard
12 Riders anywhere on this document?

8:59AM

13 A No.

14 Q And you referred in that e-mail to Jason
15 that you said I already have a logo that I did.
16 Is that logo that you prepared illustrated
17 anywhere on this document?

8:59AM

18 A Not on this document, no.

19 Q Okay. So -- stepping a little aside. So
20 based on this e-mail and from your testimony
21 earlier is it fair to say that you prepared this
22 logo at some point in time between when you
23 arrived home from the funeral in Edmond,
24 Oklahoma, on November 8th, 2005, and the time of
25 this e-mail?

8:59AM

9:00AM

9:00AM

1 A Yes.

2 Q Okay. So somewhere in between that time
3 you prepared --

4 A Yes.

5 Q -- the logo?

9:00AM

6 A Yes.

7 Q All right. I want to go back to Exhibit 7
8 if we can. This is your trademark application,
9 this document.

10 A Okay.

9:00AM

11 Q Okay. So just to reiterate. This is your
12 trademark application for the mark Patriot Guard
13 Rider; is that correct?

14 A Yes.

15 Q Let's turn to the fourth page of this
16 document. There's no page numbers at the bottom.
17 Okay. About the middle part of this there's a
18 spot that says goods and/or services and basis
19 information. And below that it says
20 international class and below that it says 035.

9:00AM

9:01AM

21 A I'm not --

22 Q Are we on the right page? No, I think
23 you're one too far.

24 A All right. Yes.

25 Q Okay. And the description states

9:01AM

1 association services namely promoting the
2 interest of families of deceased military members
3 and families of deceased veterans. Do you see
4 that?

9:01AM

5 A Yes.

9:01AM

6 Q Going a couple lines up, it shows that the
7 first use anywhere date is identified as at least
8 as early as 10-27-05, October 27th, 2005; is that
9 correct?

10 A Yes.

9:01AM

11 Q Okay. Now you advised that you came up
12 with the idea to use the internet as of
13 November 8th, 2005; correct?

14 A Yes.

15 Q So what type of use of the mark Patriot
16 Guard Rider took place on or before October 27th,
17 2005?

9:02AM

18 A Okay. When you say the mark what are you
19 referring to?

20 Q I'm referring to the mark of your
21 application, which is Patriot Guard Rider.

9:02AM

22 A Okay.

23 Q So by this document you've stated that you
24 you -- the first use of that mark, Patriot Guard
25 Rider, anywhere was at least as early as

9:02AM

1 October 27th, 2005.

9:02AM

2 A Probably the first use of it anywhere would
3 have been, if I'm not mistaken, when I started
4 sending out e-mails because I think it was -- I
5 think it was included in those e-mails. I'm
6 starting an organization -- and I'm just
7 paraphrasing -- Patriot Guard Riders. And I
8 think there's exhibits showing that.

9:03AM

9 Q Okay. In those e-mails that you're
10 referring to, are those the ones that you
11 referred to when you came back from the ride --

9:03AM

12 A Yes.

13 Q -- in Edmond, Oklahoma?

14 A Yes.

15 Q So that was November 8th, 2005?

9:03AM

16 A Yes.

17 Q So is this date incorrect?

18 A Is this 10-27, 2005? No, because it
19 says -- oh, I see what you're saying. This says
20 October. I guess it is.

9:03AM

21 Q Okay. Do you know -- actually, let's skip
22 to the back of this a little bit. Two pages
23 farther than that, if you can move there.

24 A Past that? You're saying past?

25 Q Go forward two farther pages, yes. You're

9:04AM

1 going the right way.

9:04AM

2 A Go forward --

3 Q Yeah.

4 A -- two farther.

5 Q So on here there's a part that says

9:04AM

6 signature information; correct? Do you see that?

7 A Yes.

8 Q Okay. And to the right it says signature

9 and there's a backslash and then J.A. Brown and
10 then another backslash; is that correct?

9:04AM

11 A Yes.

12 Q So is that what would constitute your
13 electronic signature?

14 A I assume. I don't know. I mean are you
15 saying with the backslashes? I don't know what
16 those mean. I didn't prepare this; so I don't
17 know.

9:04AM

18 MS. BLUE: I'm going to ask you to
19 rephrase that. I think in this context it kind
20 of calls for a legal conclusion.

9:05AM

21 MR. O'MALLEY: Okay.

22 Q (Mr. O'Malley) Okay. Backing up. Did you
23 prepare this application --

24 A No.

25 Q -- and file it?

9:05AM

1 going the right way.

9:04AM

2 A Go forward --

3 Q Yeah.

4 A -- two farther.

5 Q So on here there's a part that says

9:04AM

6 signature information; correct? Do you see that?

7 A Yes.

8 Q Okay. And to the right it says signature

9 and there's a backslash and then J.A. Brown and

10 then another backslash; is that correct?

9:04AM

11 A Yes.

12 Q So is that what would constitute your

13 electronic signature?

14 A I assume. I don't know. I mean are you

15 saying with the backslashes? I don't know what

9:04AM

16 those mean. I didn't prepare this; so I don't

17 know.

18 MS. BLUE: I'm going to ask you to

19 rephrase that. I think in this context it kind

20 of calls for a legal conclusion.

9:05AM

21 MR. O'MALLEY: Okay.

22 Q (Mr. O'Malley) Okay. Backing up. Did you

23 prepare this application --

24 A No.

25 Q -- and file it?

9:05AM

1 A Not that I remember. 9:05AM
2 Q And file it? You don't remember?
3 A No.
4 Q Did you --
5 A I don't know whether I did or John Jacobs 9:05AM
6 did.
7 Q Okay. Okay. But moving -- farther moving
8 down it shows signatory's name as Jeff Brown;
9 correct?
10 A Yes. 9:05AM
11 Q And your -- signatory's position as
12 executive director; correct?
13 A Yes.
14 Q And it says it was signed on November 9th,
15 2006; -- 9:05AM
16 A Okay.
17 Q -- is that correct?
18 why -- if you didn't file this document,
19 why would there be a signature that you -- why
20 would your signature be provided on there as 9:05AM
21 signing the document and filing it?
22 A I'm saying --
23 MS. BLUE: I need to object again
24 because I think in this context it does call for
25 him to have a legal conclusion and it also 9:06AM

1 requires him to understand the electronic filing
2 requirements at the Trademark Office. And he's
3 already stated that Jacobs helped him with the
4 application.

9:06AM

5 MR. O'MALLEY: Okay.

9:06AM

6 Q (Mr. O'Malley) Okay. Moving past that,
7 this document a little bit above it where the
8 signature information --

9 A Where are we now? Excuse me.

10 Q A little bit above signature information.

9:06AM

11 A Same page.

12 Q Yeah, same page. Says fee information.

13 And right next to -- and below that it says
14 number of classes. And to the right, six. The
15 fee per class is \$275, and the total fee due is
16 1,650; is that correct?

9:06AM

17 A Yes.

18 Q Who paid that fee?

19 A I have to assume that I did. I don't --

20 Q But you don't know?

9:07AM

21 A -- recall. I remember sending John Jacobs
22 or sending money for having this done, whether he
23 had me send it to him or had me send it wherever
24 the Trademark Office payment is, I don't know. I
25 remember paying. I don't remember if it was for

9:07AM

1 this particular item or not.

9:07AM

2 Q Okay. And you don't know whether you paid
3 him or whether you paid the Trademark Office?

4 A I can't remember for sure.

5 Q You don't remember the mode of payment?
6 Check?

9:07AM

7 A No.

8 Q Credit card? Cash?

9 A Well, it wasn't cash. It would have been
10 check or credit card, but I don't remember for
11 sure.

9:07AM

12 Q Okay. But when did you pay him?

13 A I'm sorry, I don't remember.

14 Q Would it have been before you -- before
15 this application was filed or after?

9:08AM

16 A I don't remember.

17 Q Okay. Okay. Let me go -- all right.

18 Let's go back two pages back to where that
19 international class 035 is identified. Are you
20 at that spot?

9:08AM

21 A Yes.

22 Q Going down a couple lines from there it
23 shows that the first use in commerce date is at
24 least as early as November 9th, 2005; correct?

25 A Yes.

9:08AM

1 Q Okay. What type of use in commerce of the
2 mark Patriot Guard Rider took place on or before
3 November 9th, 2005?

9:08AM

4 A Well, it would have been I'm assuming
5 sending it in an e-mail and/or creating the logo.

9:09AM

6 Q Creating the logo --

7 A Yes.

8 Q -- constitutes use in commerce from your
9 understanding?

10 MS. BLUE: Objection. Calls for a legal
11 conclusion.

9:09AM

12 A I don't know what constitutes use in
13 commerce. It may have been -- that date could
14 have been when I sent the order to have patches
15 made. I don't know.

9:09AM

16 Q (Mr. O'Malley) Okay. Do you know why
17 November 9th, 2005, was selected as the date of
18 first use in commerce?

19 A No, not right offhand.

20 Q Going back to your signature information,
21 two pages forward your position is identified as
22 executive director; correct?

9:10AM

23 A Yes.

24 Q Okay. And this application indicates that
25 it was filed on November 9th, 2006; correct?

9:10AM

1 A Yes.

9:10AM

2 Q Okay. Now -- now I understand you're not
3 sure as to whether you filed the application or
4 whether John Jacobs filed the application, but
5 was this application intended to be filed on your
6 own behalf or on behalf of Patriot Guard Riders,
7 Inc.?

9:11AM

8 A On my own behalf.

9 Q So why is there reference to you being
10 executive director? Do you refer to yourself as
11 the executive director of yourself?

9:11AM

12 A John Jacobs said that's what to put in the
13 position line. That's what my attorney advised
14 me to do on that.

15 Q So you filled out this application?

9:11AM

16 A Well, whether he filled it out or I filed
17 it out, that would have been at his advice.

18 Q Okay.

19 A I don't remember filling it out.

20 Q Okay.

9:11AM

21 A I'm not saying I didn't. I don't remember.

22 Q Okay. Sure. And that's -- executive
23 director is the position you held in Patriot
24 Guard Riders before your resignation; correct?

25 A Yes.

9:12AM

1 Q Okay. And your resignation occurred prior
2 to your filing of this trademark application;
3 correct?

9:12AM

4 A Well, it would have been right about the
5 same time. I don't know which occurred first.

9:12AM

6 Q Okay. Okay. Turning -- let's turn to the
7 last page of this document. It's a picture of
8 riders on there. This is a picture that was
9 submitted as a specimen in connection with this
10 trademark application; correct? Can you describe
11 this picture for me?

9:12AM

12 A It appears to be riders on an honor mission
13 or a funeral mission, Patriot Guard Riders.

14 Q Okay. Are you in this picture?

15 A No.

9:12AM

16 Q Okay.

17 A Well, wait. I don't think that's me back
18 there. No, this doesn't look -- all I got to do
19 is look at the trees. No, that's not me. That's
20 not our area.

9:13AM

21 Q The trees? Okay.

22 Okay. You had -- not worrying about any
23 documents at the moment. You testified yesterday
24 that at some point in time after you resigned
25 that the PGR refused to accept your donations for

9:13AM

1 specific purposes; is that correct?

9:13AM

2 A That's what I was told.

3 Q That's what you were told. Okay.

4 Do you believe that the PGR was required to
5 accept donations from you?

9:13AM

6 A I have no idea.

7 Q Okay. From others? Is the PGR mandated to
8 accept donations from whoever wants to give money
9 for whatever purpose?

10 A I have no idea legally what that --

9:14AM

11 Q At the time when you were the president was
12 that the case?

13 A I don't recall ever having thought about
14 it.

15 Q Okay.

9:14AM

16 A That I would decline a donation.

17 Q What if somebody or some group had wanted
18 to make a donation to Patriot Guard Riders while
19 you were the president but that organization's
20 positions with regard to certain things were
21 adverse to PGR's interest, would you have
22 accepted their donations?

9:14AM

23 MS. BLUE: Object to form.

24 A I would probably have referred that to an
25 attorney because I -- I don't know whether that's

9:14AM

1 something that legally a nonprofit organization
2 can do or not.

9:15AM

3 Q (Mr. O'Malley) Okay. Fair enough.

4 Okay. You also testified yesterday that
5 you had agreed to resign in part at least because
6 you believed that wallin -- Jason Wallin -- was
7 the only person who had access to the PGR servers
8 and website, like he kind of had control of it
9 all; is that correct?

9:15AM

10 A Yes.

9:15AM

11 Q And you stated that one of the reasons that
12 you agreed to resign was because of the fear that
13 because of that Jason could have potentially shut
14 down the PGR --

15 A Yes.

9:15AM

16 Q -- in essence; right?

17 Isn't it true that Jason Wallin never told
18 you or anybody else that he would ever consider
19 doing that?

20 A Yes.

9:15AM

21 Q Okay. Okay. I believe you also testified
22 yesterday that at some point in time you sent an
23 e-mail to Jason Wallin with the PGR logo and said
24 to him something like, here, why don't we use
25 this and put it up on the website; is that

9:16AM

1 correct? Something along those lines.

9:16AM

2 A Yes.

3 MS. BLUE: Can you clarify time frame,
4 Jim? I'm sorry.

5 MR. O'MALLEY: This would have been very
6 early on, like right about the time the
7 organization got started, the website is
8 registered and the organization is starting to
9 build.

9:16AM

10 Q (Mr. O'Malley) Can you tell me how -- how
11 did it come about that the logo you had designed
12 came to be put on the website?

9:16AM

13 A I would have e-mailed it to him in a JPEG
14 format and then he would have done whatever --

15 Q Okay.

9:16AM

16 A I don't know how -- what he would have had
17 to have done to get it on the website. I don't
18 know.

19 Q Okay. But you testified that you
20 instructed him to put it up; --

9:17AM

21 A Yes.

22 Q -- is that correct?

23 And that by your giving him that
24 instruction that carried over to equating to the
25 license you granted to the organization to use

9:17AM

1 the logo for noncommercial purposes?

9:17AM

2 MS. BLUE: Object. Calls for a legal
3 conclusion.

4 Q (Mr. O'Malley) You can answer.

5 A Yes.

9:17AM

6 Q Okay. I wanted to turn to Plaintiff's
7 Exhibit 9 if you have that in front of you.

8 A What am I --

9 Q It's an e-mail. Says right on the top
10 Jeff. This e-mail that we were just talking
11 about, is this e-mail the one that you're
12 referring to? Take your time to read through it.

9:17AM

13 MS. BLUE: I'm going to -- actually,
14 Jeff, before you answer. I want to object to the
15 form of the question. Ask you to rephrase it. I
16 didn't want to object in the middle of his trying
17 to look at the exhibit. I'd like to have you
18 clarify that a little bit.

9:18AM

19 MR. O'MALLEY: I don't remember exactly
20 what I asked.

9:18AM

21 MS. BLUE: We can have her read it back.

22 *(whereupon, the court reporter read*
23 *back the previous question.)*

24 Q (Mr. O'Malley) All right. I'll re-ask it.
25 So you had just stated that you had sent an

9:19AM

1 e-mail to Jason saying, hey, why don't we use
2 this logo, which you would have attached the logo
3 as a JPEG or some other computer file and
4 instructed him to put it up on the website;
5 correct?

9:19AM

9:19AM

6 A I don't know if this is the e-mail or --
7 according to what I have written there was a logo
8 attached, but I don't know if this is the first
9 one I sent him or not.

10 Q Okay. Have you -- if this is not the
11 e-mail, do you have other e-mails that show this
12 instruction?

9:19AM

13 A Not to my knowledge. I don't know. I've
14 gone through all of my e-mails, and I've given
15 Rachel everything that I can find.

9:20AM

16 Q Okay.

17 A But this doesn't say anything about putting
18 it on the website; so I don't know that this was
19 it.

20 Q Okay.

9:20AM

21 A That's your copy.

22 Q Actually, hang on to it, please. Going to
23 the top there -- I'm sorry, moving down to the
24 bottom of it first right above you're saying,
25 Thanks, Jeff Brown Twister, you say I have

9:20AM

1 attached the logo?

9:20AM

2 A Yes.

3 Q And in response to your e-mail that you
4 sent out, Jason Wallin responded, FYI, I threw up
5 a placeholder at www.patriotguard.org. Do you
6 see that?

9:20AM

7 A Yes.

8 Q Okay. Do you know whether -- I'm sorry.
9 Let me rephrase.

10 Isn't it true that what Jason Wallin did
11 then was put the logo on PGR's website at that
12 time?

9:20AM

13 A I have no idea what a placeholder is.

14 Q Okay. Okay. Let's go to Exhibit 10,
15 please, which is an invoice for ordering United
16 States flag 228155. Do you have that? On the
17 bottom it says Brown 010325?

9:21AM

18 A Yes.

19 Q You testified yesterday that you paid this
20 bill with your own money; is that correct?

9:21AM

21 A Yes.

22 Q You also testified that PGR never
23 reimbursed you for this payment; is that correct?

24 A Yes.

25 Q Did you ever request reimbursement for

9:21AM

1 these funds from PGR?

9:21AM

2 A No.

3 Q Okay. Let's move to Exhibit 11. This is a
4 large stack, mainly of invoices. And the first
5 one it says Brown 010277. It's a fairly thick
6 stack --

9:22AM

7 A I don't think I have that one.

8 Q -- I'm guessing you don't have that one.
9 okay. You testified yesterday that this set of
10 documents included a number of invoices that were
11 paid by you with your own money; --

9:22AM

12 A Yes.

13 Q -- is that correct?

14 A Yes.

15 Q You also testified that PGR never
16 reimbursed you for these payments; --

9:22AM

17 A Yes.

18 Q -- is that correct?

19 Did you ever request reimbursement for any
20 of these funds --

9:22AM

21 A No.

22 Q -- from the PGR? No?

23 A No.

24 Q Okay. Thank you. All right.

25 Exhibit 12. This is identified on the

9:22AM

1 bottom right as Brown 010246. And in the top
2 left Betsy M. Lattimer's name is provided.

9:23AM

3 A Yes.

4 Q Okay. You got that?

5 A Yes.

9:23AM

6 Q Can you please read this document at the
7 spot that starts PGR name and logo? Can you just
8 read the entire thing all the way down to your
9 name?

10 A PGR name and logo. Several members have
11 asked me to make different items.

9:23AM

12 Q I'm sorry, can you go back? The word me is
13 not included in there. Can you re-read?

14 A Okay. I'm sorry.

15 Q No problem.

9:23AM

16 A PGR name and logo. Several members have
17 asked to make different items incorporating the
18 Patriot Guard Riders name and logo.

19 Unfortunately, we have had to ask that this not
20 be done, and I think everyone needs to know why.
21 The name Patriot Guard Riders, our logo, as well
22 as the phrase "Riding with Respect" are all
23 trademarked to protect the identity of the
24 organization. Attorneys have cautioned us that
25 if we allow its unlicensed use, should we ever

9:24AM

9:24AM

1 have to go to court to enforce the trademark
2 protection, our case could be severely hampered
3 by the fact that a precedent has been set for its
4 unlicensed use. Folks, we're not trying to be
5 jerks about this. We're just trying to make sure
6 our organization is fully protected from those
7 who might want to discredit us in the future.
8 Thanks for your understanding and cooperation.

9:24AM

9:24AM

9 Q Okay. Can you direct me to any spot in
10 this statement that you just read that gives any
11 indication that you as an individual, as opposed
12 to PGR, was the owner of the PGR name or logo?

9:24AM

13 A No.

14 Q Okay.

15 A Just that my name is on it saying this is
16 why we're doing it.

9:25AM

17 Q Okay. Thank you.

18 Let's turn to Exhibit 13. This on the
19 bottom right says Brown 007748.

20 A Yes.

9:25AM

21 Q Okay. In this document down towards the
22 bottom you identified November 15th, 2005, as the
23 earliest date of a sale of goods bearing the mark
24 Patriot Guard Rider; is that correct?

25 A Okay. Yes.

9:26AM

1 Q Okay. Was the organization using, the PGR
2 organization -- this is long prior to
3 incorporation. Was the PGR organization at that
4 time using the name or logo prior to this date in
5 connection with the services performed in
6 connection with their mission on the website?

9:26AM

9:26AM

7 A I'm not sure I understand your question on
8 that.

9 Q I'm asking this date shows that the first
10 use of the mark in connection with the sale of
11 any type of goods according to you is
12 November 15th, 2005; correct?

9:26AM

13 A Okay.

14 Q Was the mark being used by the organization
15 in connection with its services, the
16 noncommercial purposes, prior to November 15th,
17 2005?

9:26AM

18 A It would have been -- it would have been in
19 the e-mails that I sent out prior to that. I
20 don't know what date the website was launched,
21 but whenever the website was launched, it would
22 have been on there.

9:27AM

23 Q Okay.

24 A It would not have been worn by any members
25 at any missions prior to that.

9:27AM

1 Q Isn't it possible that members could have
2 taken -- sorry. Let me rephrase.

9:27AM

3 I believe you had stated earlier, testified
4 earlier, that the logo was up on the website when
5 you sent it to Jason, whether -- regardless of
6 whether you gave him permission or not, but that
7 the logo was put up on the website soon after it
8 was registered; is that correct?

9:27AM

9 A It was put up on the website whenever the
10 website was launched.

9:28AM

11 Q Okay.

12 A I don't remember -- I don't remember when
13 it was launched, and I don't remember a website
14 ever going up without the logo on it.

15 Q Okay.

9:28AM

16 A But I can't tell you when that -- when he
17 got the website built.

18 Q Okay. Can we go back to Exhibit 9 for a
19 second, please. This is -- I'm not sure if you
20 have that or not.

9:28AM

21 A I have it.

22 Q Okay. This is one on November 10th you
23 sent an e-mail out that says at the bottom, I
24 have attached the logo; correct?

25 A Yes.

9:29AM

1 Q And that e-mail was sent to, looking here,
2 maybe about -- I was going to say maybe about 10,
3 15 individuals, but also at least one
4 association, the Combat Veterans Motorcycle
5 Association. Who knows how many people have
6 access to that. Is that --

9:29AM

7 A Yes.

8 Q -- fair?

9 So at least as of November 10th, 2005, each
10 of those people had the logo that you would have
11 sent to them; is that correct?

9:29AM

9:29AM

12 A I would assume so, yes.

13 Q Okay. Is it possible that any of those
14 people could have printed out that logo and taped
15 it to their bikes, taped it to their clothing if
16 they went on a --

9:29AM

17 A No.

18 Q It's not possible?

19 A I can't see that ever happening. If you
20 want to say it was possible, then -- I mean
21 that's a big stretch.

9:30AM

22 Q How -- how would it be a big stretch to hit
23 print on your computer and put some tape on your
24 motorcycle and tape it on there?

25 A I've never seen that I can recall -- in all

9:30AM

1 of the motorcycle functions I've attended I've
2 never seen anyone with paper taped to them or
3 their bike.

9:30AM

4 Q Okay. But this was a brand new
5 organization.

9:30AM

6 A Okay.

7 Q Somebody wanted to let them know who they
8 were, what they were about. All I'm asking is is
9 it possible?

10 A I've answered that. I -- anything is
11 possible, but I can't --

9:30AM

12 Q Okay.

13 A -- imagine that.

14 Q Fair enough.

15 Can we turn to Exhibit 16, please. This is
16 the legal size paper. If you have that one, it
17 will stand out.

9:31AM

18 A Yes.

19 Q Okay. Can you turn to the second page of
20 this document? And there's a post by an
21 individual by the name of Richard IndyHarley
22 Wilbur; --

9:31AM

23 A Yes.

24 Q -- is that correct?

25 And this post is dated September 4th, 2006;

9:31AM

1 correct?

9:31AM

2 A Yes.

3 Q At that time -- do you know who Richard
4 Wilbur is?

5 A Yes.

9:31AM

6 Q At that time was he the state captain for
7 the State of Indiana?

8 A Don't know.

9 Q Okay. Below his signature it does say SC
10 Indiana PGR; correct?

9:32AM

11 A Yes.

12 Q okay. So do you know whether he was ever a
13 state captain of Indiana?

14 A Yes.

15 Q You just can't verify that time?

9:32AM

16 A Yeah.

17 Q Okay. Is it clear from his post that he is
18 not certain who is the owner of the PGR
19 trademark?

20 MS. BLUE: Objection. calls for
21 speculation.

9:32AM

22 Q (Mr. O'Malley) what does his post say?

23 A Who actually owns the PGR trademark and/or
24 copyright? Just curious if anyone really knows.

25 Q Based on your understanding based on his

9:32AM

1 statement does he know who's the owner?

9:32AM

2 A I don't know if he knows or not. He's
3 asking if anyone else knows.

4 Q Okay. Fair enough.

5 MR. O'MALLEY: Need a break?

9:33AM

6 A No, I'm just going to get some Sweet'n Low.

7 Q (Mr. O'Malley) Okay. Are you ready?

8 A Yes.

9 Q Can we go to Exhibit 19, please. That has
10 on the bottom right Brown 010167, and, again, the
11 name Betsy M. Lattimer at the top left. It's an
12 e-mail document.

9:33AM

13 A Yes.

14 Q Okay. Have it?

15 A Yes.

9:34AM

16 Q Now this is an e-mail from John Jacobs to
17 you, correct, dated January 18th, 2007?

18 A Yes.

19 Q Okay. And in this he's providing you with
20 a message that he's used before in an attempt to
21 stop people from using PGR name or mark; --

9:34AM

22 A Yes.

23 Q -- is that correct? Okay. In the part
24 right below where it says forwarded message, it
25 says, from eBay member PGR John. Do you know --

9:34AM

1 is that John Jacobs?

9:34AM

2 A Okay. Hold on just a minute. Oh, from
3 eBay member --

4 Q PGR John.

5 A -- PGR John. I don't know.

9:35AM

6 Q Okay. Farther down there it says subject
7 and question for item number and there's a long
8 number.

9 A Wait a minute. I'm sorry.

10 Q Sure.

9:35AM

11 A If -- that eBay member PGR John is not John
12 Jacobs because John Jacobs' e-mail address is
13 MN -- if you look at the top, completely
14 different.

15 Q I agree that that's his e-mail address.

9:35AM

16 This is eBay member number. I think those are
17 two separate --

18 A Oh, okay.

19 Q -- items.

20 A Then, no, I don't know.

9:35AM

21 Q Okay. Going down to where it says subject.
22 And it starts out with question for item number,
23 and there's a long number there. And then says
24 Yamaha Vstar V-star Roadstar star 650 1100 Royal
25 Star. Says the same thing below under item.

9:36AM

1 Is that a bike? A motorcycle?

9:36AM

2 A Well, a Yamaha V-star or Roadstar is a
3 motorcycle. If I'm not mistaken on this, that
4 may be eBay the way they -- the categories.

5 Q Different ways you could search for this --

9:36AM

6 A Yeah. Yeah.

7 Q -- to find --

8 A I think that's --

9 Q But so a Yamaha V-star, Roadstar, whatever
10 their -- that's referring to a bicycle? A
11 motorcycle.

9:36AM

12 A A motorcycle, yeah.

13 Q Not a bicycle a motorcycle. Sorry. I'm
14 offending everybody in the room.

15 MS. BLUE: Well, at least two people.

9:37AM

16 Q (Mr. O'Malley) Okay. And below this --
17 below the dash line there the phrase that it says
18 this is the message that he's saying -- I'm
19 sorry. Going back to top, Jeff. He says, Jeff,
20 this was the message I used successfully on
21 several occasions.

9:37AM

22 A Yes.

23 Q So scrolling down to the bottom where it
24 says dear sir or Madam, this is the message that
25 John Jacobs has used in the past; correct?

9:37AM

1 A Yes.

9:37AM

2 Q Okay. And presumably in connection with
3 this Yamaha V-star otherwise why would it be
4 there; is that correct?

5 A I'm assuming, yes.

9:37AM

6 Q Okay. And so his statement says, I am an
7 attorney for the Patriot Guard Riders and Jeff
8 Brown, the Executive Director of PGR. I am
9 writing to demand that you remove the referenced
10 auction because it infringes PGR intellectual
11 property and falsely creates an impression of a
12 relationship with the PGR organization and the
13 auctioned item. I will report the auction to
14 eBay as infringing PGR's rights if you do not
15 immediately remove the auction or revise it to
16 remove the unauthorized use of the Patriot Guard
17 Riders' name and logo. If necessary, we will
18 take further action. Sincerely, and it ends
19 there. Is that correct? Is that a --

9:37AM

9:38AM

20 A Yes.

9:38AM

21 Q -- true reading of that?

22 Okay. In this communication, or this
23 message, he identifies himself as the attorney
24 for Patriot Guard Riders and for you, the
25 Executive Director; is that correct?

9:38AM

1 A Yes.

9:38AM

2 Q Did Mr. Jacobs represent both you and the
3 PGR?

4 A Probably. I mean it was -- in the early
5 stages I had probably discussed other things
6 besides the trademark -- I don't recall right
7 offhand ever just -- I can't recall specifics,
8 but being an attorney and being a PGR member, I
9 may have called him on something other than
10 trademark. I don't recall right offhand.

9:38AM

9:39AM

11 Q Okay. Okay. Now you had previously
12 testified that you licensed PGR for noncommercial
13 items, such as its website and the like; right?

14 A Yes.

15 Q That's correct? But that you held and
16 retained the exclusive rights to the trademarks
17 for commercial items.

9:39AM

18 A Yes.

19 Q For the sale of goods; correct?

20 A Yes.

9:39AM

21 Q So in this message John Jacobs references
22 that the seller of the motorcycle needs to
23 discontinue the auction because it infringes PGR
24 intellectual property; is that correct?

25 A That's what it says.

9:40AM

1 Q He does not state that this infringes your
2 intellectual property; correct?

9:40AM

3 A Well, he mentions that he is the attorney
4 for me and for the PGR.

5 Q I understand that.

9:40AM

6 A But also I did -- this is -- when I got
7 that would have been the first time I would have
8 seen that; so I don't know.

9 Q That's fine.

10 Okay. But this message does not state that
11 it infringes your intellectual property?

9:40AM

12 MS. BLUE: Object to the extent it calls
13 for a legal conclusion.

14 A Well, I'm going to disagree with you
15 because he includes the fact that he is my
16 attorney. So if he has an objection to what
17 they've got listed, and he did not believe it was
18 my intellectual property, why would he have put
19 my name into it at all?

9:40AM

20 Q (Mr. O'Malley) I don't know. That's a
21 good question, isn't it?

9:41AM

22 Nonetheless, he says, I am writing to
23 demand because it infringes PGR intellectual
24 property. He does not state because it infringes
25 Jeff Brown's intellectual property.

9:41AM

1 A He does not state that --

9:41AM

2 Q Okay.

3 A -- specifically.

4 Q Thank you.

5 Okay. So now again, from what you told me,
6 you were the owner of the marks for commercial
7 purposes?

9:41AM

8 A Yes.

9 Q So I know I'm going to know the answer to
10 this based off this already, but why would Jacobs
11 identify PGR's intellectual property and the
12 creation of a false impression of relationship
13 with the PGR organization in connection with a
14 sale of a good?

9:41AM

15 MS. BLUE: Objection. Asked and
16 answered.

9:41AM

17 Q (Mr. O'Malley) Okay. Can you hang on to
18 that for one more second.

19 A Sorry.

20 Q Farther down Mr. Jacobs further states that
21 he will report the auction to eBay as infringing
22 PGR's rights, not yours; correct?

9:41AM

23 A That's what he states.

24 Q Okay. Thank you. Now you can put that one
25 away.

9:42AM

1 Okay. Can we turn to Exhibit 20, please.
2 This is -- there's no document number at the
3 bottom right, but it's an e-mail. And the top
4 says Diane Goswick.

9:42AM

5 MS. BLUE: Diane Goswick is my
6 assistant.

9:42AM

7 MR. O'MALLEY: I know. I've seen it. I
8 just -- pronunciation.

9 MS. BLUE: Yeah.

10 Q (Mr. O'Malley) Do you have that?

9:42AM

11 A Yes.

12 Q This is down at the bottom an e-mail from
13 Ronny Awtry to you.

14 A Yes.

15 Q Subject "Riding with Respect" logo. And is
16 it -- in it he says, I am writing you in hopes of
17 securing usage to print large, quote, Patriot
18 Guard Riders, Riding with Respect, unquote,
19 vinyls for usage on my race car.

9:42AM

20 Basically he's seeking -- from what you
21 testified yesterday he's seeking your permission
22 to use that logo; is that correct?

9:43AM

23 A Yes.

24 Q Do you know whether Ronny Awtry also sought
25 permission to use that logo from the PGR,

9:43AM

1 Incorporated?

9:43AM

2 A I have no idea.

3 Q Okay. Thank you. That's it.

4 Connection with -- let's go to Exhibit 21,
5 please, which is PGR's first trademark
6 application.

9:43AM

7 A What's it look like?

8 MS. BLUE: Should look like -- this is
9 it.

10 A No, that's 7.

9:44AM

11 MS. BLUE: That's 7. I'm sorry.

12 A Well, let me just look at yours.

13 Q (Mr. O'Malley) Okay. This is Patriot
14 Guard Riders, Inc.'s trademark application for
15 the logo Patriot Guard Riders, Riding With
16 Respect; is that correct? You can turn to the
17 second to last page if that helps you there.

9:44AM

18 A Yes.

19 Q And you had testified yesterday that Jason
20 wallin from your understanding and from what you
21 see on the face of this document prepared and
22 filed this trademark application; correct?

9:44AM

23 A Yes.

24 Q The time of filing when Jason wallin filed
25 this document did you know whether Jason wallin

9:44AM

1 was an attorney?

9:44AM

2 A No.

3 Q Do you know whether he had any knowledge
4 with regard to the filing of trademark
5 applications?

9:45AM

6 A No, I don't know firsthand.

7 Q Okay. Thank you.

8 We move to Exhibit 22, please. Do you have
9 that?

10 A Yes.

9:45AM

11 Q Okay. This is an e-mail -- two e-mails.
12 First one from you to somebody named Husky and
13 then also to Jason Wallin dated November 9th,
14 2005. And then a response from Jason Wallin.
15 Correct? Response from Jason Wallin to you.

9:45AM

16 A I'm not finding. Oh, wait. Let me go
17 back. I'm not finding --

18 Q The first --

19 A -- anything about Husky on here. Where am
20 I looking?

9:45AM

21 MS. BLUE: Here. Right here, Jeff
22 (indicating).

23 A To Husky. Okay, yes.

24 Q (Mr. O'Malley) Okay. Can you point me to
25 any use of the words Patriot Guard Rider or

9:46AM

1 Patriot Guard Riders anywhere on this document?

9:46AM

2 A No.

3 Q How about the PGR logo?

4 A No.

5 Q Okay. Okay. That's it.

9:46AM

6 A Is this yours or mine?

7 MS. BLUE: Mine.

8 Q (Mr. O'Malley) Can we now turn to
9 Exhibit 26, please? Do you have that? The one
10 at the top says just thinking outside the box.

9:46AM

11 A Got it.

12 Q Okay. So this document shows there's an
13 e-mail -- starting on the first page, there's an
14 e-mail from you dated December 5th, 2007, at
15 10:04 a.m. which runs the second page and into
16 the third page.

9:47AM

17 MS. BLUE: I'm sorry, are you on 26 or
18 6?

19 MR. O'MALLEY: 26.

20 A Okay.

9:47AM

21 Q (Mr. O'Malley) Okay. And then above that
22 on the first page is a response from Raymond and
23 Pam Russell to you.

24 A Okay.

25 Q And then a further reply back from you as

9:47AM

9:47AM

1 well; right?

2 A Yes.

3 Q Can we turn to the second page of this
4 document? So this is the part where you are
5 writing to I guess it would be Raymond and Pam
6 Russell. I'm not sure if it's one or the other
7 specifically, but their e-mail address.

9:47AM

8 A Yes.

9 Q Fourth paragraph down begins I told you.

10 A Yes.

9:48AM

11 Q You see that? Let's go to the second
12 sentence there still on the first line. Says, as
13 you may know, back when I started Twister's store
14 a PGR member, who is an attorney, contacted me
15 and said he would handle the trademark issues pro
16 bono.

9:48AM

17 Okay. Is that attorney John Jacobs?

18 A Yes.

19 Q When it says he contacted you, when did he
20 contact you? Can you give me a time frame on
21 that?

9:48AM

22 A It would have been prior to this e-mail.

23 Q So you have no idea --

24 A No, I don't remember.

25 Q -- of the time?

9:49AM

1 A No, I can't remember when he initially
2 contacted me.

9:49AM

3 Q Okay. But based on what we've discussed
4 earlier, it would have been prior to your
5 resignation --

9:49AM

6 A Yes.

7 Q -- from the Board?

8 A Yes.

9 Q At a minimum; right?

10 A Yes.

9:49AM

11 Q Here you state that you started Twister's
12 store. Prior to your resignation at the place
13 where you could purchase -- any individual could
14 purchase PGR gear or goods was that store ever
15 referred to as Twister's or was that change made
16 after your resignation?

9:49AM

17 A The change officially as far as the logo
18 and everything was made after.

19 Q what do you mean by the logo?

20 A The logo on the website.

9:49AM

21 Q Are you referring to the Patriot Guard
22 Rider logo?

23 A No. No, no, no, no. The store's logo.
24 I'm sorry.

25 Q okay.

9:50AM

1 A I can't say whether it was ever referred to
2 as Twister's store. I'm sure in e-mails and
3 posts there's probably reference to Twister's
4 store prior to that.

9:50AM

5 Q Have you provided us with any documentation
6 to that effect?

9:50AM

7 A I don't know. I wasn't particularly
8 looking for that; so I don't recall whether --

9 Q Okay.

10 A -- it's in documentation or not.

9:50AM

11 MR. O'MALLEY: I would ask, Rachel, if
12 there is any such documentation prior to his
13 resignation that refers to his store as Twister's
14 store --

15 MS. BLUE: We'll look and see.

9:50AM

16 MR. O'MALLEY: -- that we be provided.

17 MS. BLUE: I don't know that I'm going
18 to be able to do it for you today.

19 MR. O'MALLEY: Perfectly understand
20 that.

9:51AM

21 MS. BLUE: I'll check.

22 MR. O'MALLEY: Just a few pages of
23 documents.

24 MS. BLUE: One or two.

25 Q (Mr. O'Malley) Okay. Back to that same

9:51AM

1 paragraph, second line down, the third sentence.
2 It says, over the next year we worked on it, and
3 I assumed it had all been completed; is that
4 correct?

9:51AM

5 A Yes.

9:51AM

6 Q Okay. Did Mr. Jacobs ever tell you how
7 much it would cost to file the trademark
8 application?

9 A I remember him saying, okay, when we file
10 this it's going to be this much and this is going
11 to be this much. I don't recall if there was
12 ever a -- him saying the total thing is going to
13 cost this.

9:51AM

14 Q Okay. Did he ever tell you that there
15 were -- okay. Let's back up. I wanted to
16 introduce --

9:51AM

17 MS. BLUE: Jim, before you introduce can
18 we take a quick restroom break?

19 MR. O'MALLEY: Sure.

20 *(Following a short recess at 9:52*
21 *a.m., proceedings continued on the Record at*
22 *10:10 a.m.)*

9:52AM

23 Q (Mr. O'Malley) Okay. I'd like to
24 introduce Defendant's Exhibit 1. Okay. This is
25 a document produced by the PGR in response to one

10:10AM

1 of your discovery requests as evidenced by the
2 bottom right. It says PGR 003093.

10:10AM

3 Okay. This is kind of an e-mail exchange
4 between you and John Jacobs taking place in
5 February of 2006; is that correct?

10:11AM

6 A Yes.

7 Q Okay. In the middle there's an e-mail from
8 John Jacobs to you dated Monday, February 6th,
9 2006. In there he says, Jeff, I'd be happy to
10 get the name/logo registered. No charge for my
11 time. There are some government fees involved.
12 \$750 to register for both nonprofit activities
13 and for PGR store goods, possibly more if there
14 are objections filed or to register the words and
15 the logo in both categories; is that correct?

10:11AM

10:11AM

16 A Yes.

17 Q Okay. So at that time, February 6th, 2006,
18 you had obviously been in contact with John
19 Jacobs at least as of that date; correct?

20 A Yes.

10:11AM

21 Q Okay. And at that time John Jacobs is
22 informing you that there are government fees
23 involved in connection with the filing of
24 trademark applications?

25 A Yes.

10:12AM

1 Q So by his telling you that he's basically
2 indicating that he would be not paying for those
3 government filing fees, but he is stating I'm not
4 going to charge for my time, for my services, but
5 I'm not going to front the money or pay the money
6 for the actual filing. Is that correct?

10:12AM

10:12AM

7 A No, I'm not reading it that way. It
8 doesn't say whether he's going to front the money
9 and me reimburse him or whether I'm going to pay
10 it. It doesn't say.

10:12AM

11 Q Okay. But would you read this -- would you
12 understand that you would ultimately be paying
13 this money?

14 A Yes.

15 MS. BLUE: Objection. Asked and
16 answered.

10:12AM

17 Q (Mr. O'Malley) Okay. So I believe you had
18 said yesterday that at the time when your
19 application was filed that you had actually
20 believed that the trademark application had been
21 filed prior to that?

10:13AM

22 A Yes.

23 Q If not long before that, months before
24 that; correct?

25 A Yes.

10:13AM

1 Q Had you ever paid John Jacobs for the
2 filing fees of a trademark application prior to
3 that time?

4 MS. BLUE: I'm going to object as to
5 form because I'm not even really quite clear
6 about the phrasing of that. Can you rephrase,
7 please?

8 MR. O'MALLEY: Sure.

9 Q (Mr. O'Malley) So prior to the filing of
10 your trademark application, which happened on
11 November 9th, 2006, before that date had you paid
12 money for the filing fees of a trademark
13 application either to John Jacobs to reimburse
14 him or to the Trademark Office directly?

15 A I'm not positive, but I'm 99 percent sure,
16 yes, because I -- I don't recall -- I don't --
17 well, I'm not positive. I'll just leave it at
18 that.

19 Q Okay. Can I ask -- I know you said you're
20 not positive. 99 percent. If you had done such
21 a payment, you had said -- I believe you said
22 earlier you would likely would have paid by check
23 or credit card?

24 A Yeah, I wouldn't have paid in cash.

25 Q Okay. So you would have documentation or

1 you could get documentation to prove such a
2 payment?

3 A Yes.

4 Q Okay. Can I ask that you --

5 A I will certainly look.

6 Q -- provide us with that if it exists?

7 A And I'm assuming I'm going to be looking
8 for if it was a check made out to John Jacobs or
9 to who?

10 Q Trademark Office.

11 A Trademark Office?

12 Q United States Patent and Trademark Office
13 or something along those lines.

14 A And a credit card would be -- do they
15 take -- does the Trademark Office take credit
16 cards?

17 MS. BLUE: Yes, they do.

18 MR. O'MALLEY: Currently they do. At
19 the time of '06 I'm not positive whether they did
20 or not.

21 MS. BLUE: I don't know either.

22 A I will --

23 MR. O'MALLEY: Okay. And so that would
24 be for some time between February 6th, 2006, and
25 November 9th, 2006, when the application was

1 actually filed.

10:15AM

2 Q (Mr. O'Malley) Okay. We can step away
3 from that document and go back to Exhibit 26.
4 That's the one you got there. If you can turn to
5 the second page. That same fourth paragraph that
6 we had previously been talking about where it
7 starts with I told you.

10:16AM

8 A Yes.

9 Q Okay. Four lines down towards the
10 right-hand side you state, my attorney got the
11 final step done about 30 minutes later. Does
12 that mean -- does that help reflect -- refresh
13 your recollection as to whether you filed the
14 application or John Jacobs filed the application?

10:17AM

15 A I think John Jacobs did.

10:17AM

16 Q Okay.

17 A Now that 30-minute time period, that was
18 just a guess. I don't know what the actual
19 time --

20 Q Okay. Okay. Farther down in this document
21 there's a bunch of bullet points. If you can go
22 to the fourth one. And this says, Wallin filed
23 it under PGR, Inc., which was not even a, quote,
24 legal, unquote, association at the time of
25 filing. What did you mean by that?

10:17AM

10:17AM

1 A Don't know. I don't remember.

10:18AM

2 Q Okay.

3 A I'm -- I don't know.

4 Q Okay. But it's true that Patriot Guard
5 Riders, Incorporated was incorporated as we
6 discussed earlier February 21st, 2006; correct?

10:18AM

7 A My understanding, yes.

8 Q And that is before the time when Jason
9 Wallin filed the trademark application?

10 A My understanding on -- from my experience
11 with the corporation -- or setting up the
12 501(c)(3) is that you fill out the -- all of
13 the -- all of the paperwork and then there is a
14 questionnaire type thing that has to be filled
15 out. And you have -- because this was a big
16 stink. You have 12 or 18 months or some time
17 period to get that questionnaire filled out and
18 sent in, whether it's to the State or the IRS or
19 whomever. And then your corporation is finalized
20 as of the date of the filing. So that may be
21 what I'm referring to there is that at that
22 period in time it had not all been completed
23 because the questionnaire was not done and sent
24 in, but it was later completed and the
25 corporation was formed legally retroactive to the

10:18AM

10:19AM

10:19AM

10:19AM

1 date of the initial filing.

10:19AM

2 Q Okay. But you're not sure --

3 A No.

4 Q -- that that's what you're referring to
5 here?

10:20AM

6 A Right. But I am sure that that is the
7 process.

8 Q Okay. But a 501(c)(3) relates to purposes
9 for the federal government with regard to the IRS
10 and taxes. And I'm not a corporate attorney. I
11 don't claim to have --

10:20AM

12 A Nor am I.

13 Q -- perfect knowledge with regard to that.

14 But according to our Exhibit 1, the State
15 of Oklahoma recognized Patriot Guard Riders, Inc.
16 as a legal corporation as of February 21st, 2006?

10:20AM

17 A Right.

18 Q Okay.

19 A And I'm giving my explanation in layman
20 terms.

10:20AM

21 Q That's fine.

22 Okay. I wanted to ask prior to the
23 incorporation of the PGR, February 21st, 2006,
24 you had testified yesterday that one of the
25 reasons you and others decided to incorporate was

10:21AM

1 because people -- there were questions with
2 regard to donations, like how to handle them, --

10:21AM

3 A Yes.

4 Q -- whatnot.

5 Did people make donations to the PGR
6 organization prior to its incorporation?

10:21AM

7 A No, not to my knowledge because we -- if
8 I'm not mistaken, the instructions were we're not
9 set up to take donations. I don't recall any
10 specific instance where donations were given.

10:21AM

11 But we had several people that had contacted
12 us --

13 Q okay.

14 A -- about donations.

15 Q You had testified earlier that in
16 connection with all the invoices we had looked at
17 that you stated that you paid those invoices for
18 goods out of your own money; correct?

10:21AM

19 A Yes.

20 Q And that you were never reimbursed for
21 those; --

10:22AM

22 A Right.

23 Q -- correct?

24 And that you never asked the Patriot Guard
25 organization to be reimbursed?

10:22AM

1 A It wasn't their expense.

10:22AM

2 Q Okay. So -- okay. Okay. Okay. Back --
3 we discussed kind of the interplay between
4 Exhibits 9 and 13, if you have those again. 9 is
5 the one on the top left that says Jeff. It's an
6 e-mail.

10:23AM

7 A I've got 9 and 13.

8 Q Okay.

9 A Yes.

10 Q You got them both? Okay. So this is the
11 one where -- Exhibit 9 you have a statement where
12 you say -- you send an e-mail on November 10th,
13 2005, where you say I have attached the logo?

10:23AM

14 A Yes.

15 Q And then Exhibit 13 you have a statement,
16 an e-mail to John Jacobs, saying January 23rd,
17 2007, saying I did some research, found the first
18 invoice for two PGR vest patches was written on
19 November 15th, 2005. It's a little farther down
20 the page.

10:23AM

21 A Yes.

22 Q And I had asked you a question before about
23 whether it was possible that people would have
24 printed out the logo and put it on their bike or
25 whatever.

10:24AM

10:24AM

1 A Yes.

10:24AM

2 Q And you said you didn't believe it would
3 happen, but it's possible; correct?

4 A Yes.

10:24AM

5 Q Okay. Do you believe that those
6 individuals, if they were on a mission or
7 attending a funeral, in between this time of
8 November 10th and November 15th, would they have
9 referred to themselves at that time as Patriot
10 Guard Riders? Told other people what they were
11 doing at that time?

10:25AM

12 A Probably.

13 Q Okay. Okay. Can we back up and go to
14 Exhibit 14. And this -- I don't have -- there's
15 no Bates numbers on it, but at the top left it's
16 Diane Goswick.

10:25AM

17 MS. BLUE: Have we already talked about
18 it?

19 MR. O'MALLEY: We didn't talk about it
20 today.

10:25AM

21 Q (Mr. O'Malley) And the exhibit is located
22 kind of more in the middle of the page if that
23 helps you find it.

24 A Oh.

25 MS. BLUE: I can't find mine. Do you

10:26AM

1 want me to make a copy real quick?

10:26AM

2 MR. O'MALLEY: Sure.

3 *(Whereupon, there was a pause in the*
4 *Record.)*

5 Q (Mr. O'Malley) Exhibit 14 on the bottom
6 part of this is a posting by whirlwind; right?

10:28AM

7 A Yes.

8 Q And you testified yesterday that that is
9 Bill --

10 A Richart.

10:28AM

11 Q -- Richart. He corrected me this morning.
12 I realize I've been saying his name wrong all
13 these years, and he's never told me. Bill
14 Richart.

15 Okay. Going down to the last paragraph on
16 there that runs into the next page. He states,
17 it is also correct that if we lose this dispute,
18 we will lose the right to conduct our missions
19 under the name Patriot Guard Riders. I can
20 assure you there will be no attempts to secure a
21 license from the opposer if he should win. There
22 was an anonymous poll among the state captains,
23 and I don't believe there was -- I have to take
24 the staple out. I can't read it -- there was a
25 single vote in favor of the opposer owning our

10:28AM

10:28AM

10:29AM

1 name and logo. He, the opposer, is aware of this
2 poll and -- does it say the results? My copy now
3 is --

10:29AM

4 A Yes.

5 Q Okay. He is absolutely aware that it will
6 destroy the existing organization that has
7 performed every mission since fall 2005. He has
8 contacted members in many states to form his new
9 organization if he should win his so that he may
10 continue to personally profit.

10:29AM

11 You testified yesterday that it was not
12 your intention -- in the event that you should
13 prevail in this trademark opposition proceeding,
14 it is not your intention to shut down the PGR or
15 whatnot; right?

10:29AM

10:30AM

16 A Yes.

17 Q Okay. Isn't it true though that if you
18 owned the marks that you would in essence control
19 the organization?

20 A No.

10:30AM

21 MS. BLUE: Object to the extent it calls
22 for a legal conclusion.

23 Q (Mr. O'Malley) so you would allow the PGR
24 to just use the marks without any input from you
25 or would you control their use?

10:30AM

1 A I would control the use of the marks, but I
2 would not restrict -- have no intention of
3 restricting the PGR's use for association
4 purposes.

10:30AM

5 Q Okay. How -- do you know how the PGR is
6 funded?

10:30AM

7 A I think.

8 Q Can you explain to me how?

9 A I understand --

10 Q Your understanding.

10:31AM

11 A Through donations and through the sale of
12 PGR goods.

13 Q Would it surprise you to know that the
14 primary funding of the PGR is through their sale
15 of goods?

10:31AM

16 A Yes.

17 Q It would surprise you?

18 A Yeah.

19 Q So it wouldn't surprise you that PGR in
20 order to maintain itself to continue to operate
21 would have to sell goods? They couldn't rely on
22 donations alone.

10:31AM

23 A I'm sorry, what's the question?

24 Q Do you believe that the PGR could exist
25 after this if they didn't own the trademarks and

10:31AM

1 had no right to sell goods?

10:31AM

2 MS. BLUE: Objection.

3 MR. O'MALLEY: Let me back up.

4 MS. BLUE: Calls for speculation.

5 Q (Mr. O'Malley) If you prevailed in this,
6 the PGR would need to fund itself somehow;
7 correct?

10:31AM

8 A Yeah.

9 Q It would have to have funds available to
10 operate?

10:32AM

11 MS. BLUE: Objection as to form. I mean
12 you can answer if you know, but --

13 A Yes.

14 Q (Mr. O'Malley) Okay. And do you believe
15 that the PGR could operate solely on donations
16 alone?

10:32AM

17 A Yes.

18 Q You do believe that?

19 A It did before.

20 Q when?

10:32AM

21 A Prior to -- when was it -- December of '07
22 when they opened the PGR gear store.

23 Q Okay. I don't believe that date is
24 correct.

25 A Whatever the date was.

10:32AM

1 Q okay. It was soon after your resignation,
2 correct, which was in November of '06?

10:32AM

3 A okay, '06 instead of '07. whatever --
4 whatever the year was.

5 Q okay. But so would PGR -- if PGR wanted to
6 sell goods to help sustain its funding, would
7 they be forced to agree to your terms?

10:33AM

8 A Yes.

9 Q okay. okay. Let's move away from that.

10 A okay.

10:33AM

11 Q I'd kind of like to get -- I know we've had
12 a lot of discussion here in the last two days. I
13 kind of just want to get a firm handle on
14 certain -- certain items with regard to this
15 case. I want to sum up that your testimony is
16 that you as an individual first used the word
17 mark Patriot Guard Rider and the PGR logo and
18 then later granted a license to the PGR
19 organization to use those marks in connection
20 with noncommercial purposes. Is that correct?

10:33AM

10:34AM

21 MS. BLUE: Object to the extent it calls
22 for a legal conclusion.

23 A okay. Could -- I'm sorry, could you repeat
24 that?

25 Q (Mr. O'Malley) Sure. I'll try and break

10:34AM

1 it down. It got a bit long here.

10:34AM

2 You have testified that you as an
3 individual used the word mark Patriot Guard Rider
4 and the PGR logo before the organization did; is
5 that correct?

10:34AM

6 A In the extent that I created it, yes. If
7 that's what you're -- I'm not quite sure what
8 you're alluding to.

9 Q No, I'm asking about use in commerce. Use
10 anywhere. I understand that you've stated that
11 you created the logo and created the name. But
12 I'm asking about the first use of the mark.

10:34AM

13 It's been your testimony that you as an
14 individual first used those marks prior to the
15 organization using the marks?

10:35AM

16 MS. BLUE: Same objection.

17 A I don't know how to answer that. From the
18 time of the inception of the idea in my head.

19 Q (Mr. O'Malley) which was November 8th,
20 2005?

10:35AM

21 A 2005.

22 Q Okay.

23 A That evening I used it to send out e-mails,
24 and those were my personal e-mail address; so
25 yes. I guess the answer to that is yes.

10:35AM

1 Q Okay. And now again, any communication in
2 any of those e-mails, if you have them, if you
3 haven't produced them, that show the use of the
4 name Patriot Guard Rider, Patriot Guard Riders,
5 the PGR logo, like an illustration of it, where
6 you're talking about that, I'd like to see those.

10:36AM

10:36AM

7 A If -- if I still have them, they've been
8 produced.

9 Q Okay. Fair enough.

10 Okay. And then you stated that after your
11 use -- or in connection with these e-mails --
12 that you later granted a license to the
13 organization to use the marks in connection with
14 noncommercial purposes; correct?

10:36AM

15 MS. BLUE: Object to the extent it calls
16 for a legal conclusion, but you can answer.

10:36AM

17 A I don't -- I don't think there was ever
18 anything written if -- if that's what constitutes
19 permission. In my mind when I sent it to Jason
20 via JPEG and said, here, let's use this on the
21 website or throw this up on the website or
22 whatever, that is granting use for noncommercial
23 use or purposes.

10:37AM

24 Q (Mr. O'Malley) Okay. And so whenever that
25 happened -- obviously you sent it to Jason for

10:37AM

1 that purpose -- was the organization in existence
2 then?

10:37AM

3 A Yes, it would have been.

4 Q Okay. At least you and Jason, if not more?

5 A Yeah. Otherwise there would have been --

10:37AM

6 Q Okay.

7 A -- no reason to send it.

8 Q Okay. Okay. So did you specifically
9 advise anybody within the PGR organization of
10 this license or your permission?

10:38AM

11 A At what time? When I sent it to Jason?

12 Q Sure. And soon after that.

13 A If I sent it -- or let me back up.

14 When I sent it and said put it on the
15 website, that to me is granting permission. He
16 was a member of the PGR association; so the
17 answer is yes.

10:38AM

18 Q Okay. How would he have known then that he
19 couldn't use that to sell goods?

20 A He and I discussed that.

10:39AM

21 Q Okay. That was in a telephone conversation
22 or in e-mails?

23 A I couldn't tell you --

24 Q Okay.

25 A -- which.

10:39AM

1 Q Okay. Moving forward in time to the time
2 when Patriot Guard Riders, Inc. was incorporated.
3 So now we've moved forward from November of '05
4 to February of '06.

10:39AM

5 A Okay.

10:39AM

6 Q I believe you stated that the license, the
7 permission you had granted to the organization,
8 would also extend to the corporation; is that
9 correct?

10 MS. BLUE: Object to the extent that it
11 calls for a legal conclusion. And I'm going to
12 ask you to rephrase. I'm not even sure I
13 understand what you're asking.

10:39AM

14 Q (Mr. O'Malley) Okay. He -- so moving
15 forward in time from the original time of the
16 organization and the -- the forming of the
17 organization.

10:39AM

18 A Prior to incorporation?

19 Q Prior to incorporation. Right. Then we
20 move forward in time to February of '06, the time
21 when you and others -- you're incorporating the
22 PGR.

10:40AM

23 A Yes.

24 Q Okay. I believe you had testified
25 yesterday that the permission you had granted to

10:40AM

1 the organization to use the marks for
2 noncommercial purposes was also -- would also be
3 given to the corporation.

10:40AM

4 A I don't know that I ever specifically
5 stated such.

10:40AM

6 Q But that was your intent?

7 A Yes.

8 Q Okay. And so Jason Wallin and Kurt Mayer
9 were your other two co-incorporators --

10 A Yes.

10:40AM

11 Q -- by that document we saw earlier?

12 So at that time, from what you said, it's
13 my understanding you never specifically advised
14 Wallin that the permission granted prior to
15 incorporation would move on to the corporation
16 itself?

10:41AM

17 A No, I said I don't recall.

18 Q You never had that discussion?

19 A I don't recall having that discussion.

20 Q Okay.

10:41AM

21 A I may have, but I don't recall.

22 Q Okay. So the same with regard to Kurt
23 Mayer?

24 A Yes.

25 Q Okay. Do you know whether you informed --

10:41AM

1 we discussed earlier that the Winters King firm
2 was the firm that prepared the documentation,
3 whatnot, for the incorporation; correct? Did you
4 inform them of this license or this permission
5 that you had granted?

10:41AM

10:41AM

6 A I don't recall.

7 Q Okay. Can we go to Exhibit 27, please.
8 And this is an e-mail from somebody with the
9 lovely name of Ugly Troll. And it's got some
10 highlighting on it. I think all the copies had
11 highlighting so that might help you in finding
12 it. Okay. Okay. So this is a post by someone
13 referred to as Ugly Troll.

10:42AM

14 Do you know who Ugly Troll is?

15 A No.

10:42AM

16 Q Do you know when Ugly Troll joined PGR?

17 A No.

18 Q So Ugly Troll's statement -- and I'm not
19 positive if it's he or she. The highlighted part
20 says -- maybe I can find that from somewhere. He
21 says my wife; so I'm going to guess a man.

10:42AM

22 A That can be dangerous.

23 Q That's what I said, I'm going to guess.

24 Okay. But at the highlighted part he or
25 she says, I have what we believe to be stating

10:42AM

1 known for example since the first day I joined
2 that your store was profit.

10:42AM

3 A Was for profit.

4 Q Right. So we don't know what day Ugly
5 Troll --

10:43AM

6 A No.

7 Q -- joined; right? So this could very well
8 be after you resigned?

9 A It could be.

10 Q Okay. Can we turn to Exhibit 29, please.
11 Do you have that one?

10:43AM

12 A Yes.

13 MR. O'MALLEY: Do you have it, Rachel?

14 MS. BLUE: If I do --

15 MR. O'MALLEY: It's an e-mail at the top
16 by Bill Miller.

10:43AM

17 MS. BLUE: I got it.

18 Q (Mr. O'Malley) Can we -- let's set it up a
19 little first. The bottom part appears to be an
20 e-mail from somebody named -- or the e-mail
21 address Ebaker1954@aol.com; correct?

10:43AM

22 A Yes.

23 Q And e-mailed to a bunch of people. And I'm
24 not sure whether your name is -- your address --
25 yes, your address -- your e-mail address

10:44AM

1 JeffBrown@valornet.com -- 10:44AM

2 A Yes.

3 Q Do you see where your name is?

4 A Yes.

5 Q So you received this e-mail? 10:44AM

6 A Yes.

7 Q Okay. Can we turn to the second page of

8 this. The second line down there's a sentence

9 that starts -- and I'll read it. It says, that's

10 a sorry statement of their character. I was -- 10:44AM

11 I'm going to guess the word is the -- the one

12 mentioned in an earlier e-mail or post on this

13 whole mess that used Jeff's design to come up

14 with a so-called state PGR -- I'm guessing

15 patch -- first. Jeff saw it at the first GOTH. 10:44AM

16 That stands for Gathering Of The Guard -- I don't

17 know what GOTH stands for. I'm going to guess

18 Gathering Of The Guard in '06, but obviously I

19 don't know -- and asked me about it and gave me

20 permission to use it to help cover expenses in 10:45AM

21 Mississippi. He asked nothing in return.

22 Do you recall --

23 A No.

24 Q -- this?

25 You have no knowledge with regard to 10:45AM

1 what --

10:45AM

2 A Don't recall --

3 Q -- this gentleman's taking about?

4 A -- ever having seen a patch or having had
5 that conversation with Ed.

10:45AM

6 Q With Ed. Is that who --

7 A Ed Baker, yes.

8 Q Ed Baker. Okay. Is this something that
9 was talked about as the back patch?

10 A Have no idea.

10:45AM

11 Q You have no idea.

12 Okay. But he states that he made a PGR
13 patch and that you later saw it, asked him about
14 it, and then you gave him permission to use it.
15 That's what he says. Is that correct?

10:45AM

16 A That's what he says.

17 Q But you have no recollection?

18 A I don't recall it at all.

19 Q Okay. Can we turn to Exhibit 31, please.

20 Okay. This document states at the top left that
21 it is for Patriot Guard Riders online store; is
22 that correct?

10:46AM

23 A Yes.

24 Q Is this the store that you state you and
25 your wife owned, operated and ran?

10:46AM

1 A Yes.

10:46AM

2 Q Okay. If you turn -- go down to the bottom
3 part of that where it says regarding the PGR
4 online store.

5 A Yes.

10:46AM

6 Q Okay. I'm going to read that regarding the
7 PGR online store. A couple of people have asked
8 about having a friend offer to duplicate some of
9 our stuff for free to help the cause. Our PGR
10 name and log -- which I believe should say
11 logo -- is copyrighted for a reason. The revenue
12 generated from the sale of PGR products enables
13 us to operate this site and continue to grow the
14 organization without any dues, donations or fees.
15 We also have other plans down the road. All
16 associations have their own stores (VFW, AL,
17 RFTW, et cetera) and do not allow reproductions
18 for the same reasons. We've also tried to keep
19 our pricing lower than comparable products
20 through other associations. I hope you
21 understand and support this policy. Best
22 regards, Jeff Twister Brown.

10:47AM

10:47AM

10:47AM

23 What part of this statement indicates that
24 you as opposed to the PGR are the owner of the
25 PGR name and logo?

10:47AM

1 A Doesn't address it at all as to who the
2 owner is.

10:48AM

3 Q What about -- read the part about all
4 associations have their own stores. Doesn't that
5 bring to mind that the association, the PGR, that
6 it's the PGR's store, --

10:48AM

7 A No.

8 Q -- not your store?

9 A No.

10 Q It doesn't?

10:48AM

11 A No.

12 Q Why not?

13 A I mean why would it?

14 Q It says all associations have their --
15 that's possessive of the association.

10:48AM

16 A But it doesn't --

17 Q Their stores.

18 A It doesn't indicate that I have any idea
19 who owns the VFW store or the American Legion
20 store or Run For The Wall, and I still don't.

10:48AM

21 Q Okay. But by the use of the word their?

22 MS. BLUE: Objection. Argumentative.

23 A I don't know what to tell you.

24 Q (Mr. O'Malley) Okay.

25 A It's --

10:49AM

1 MR. O'MALLEY: Can we take a short
2 break?

3 MS. BLUE: Sure.

4 *(Following a short recess at 10:49*
5 *a.m., proceedings continued on the Record at*
6 *11:12 a.m.)*

7 MR. O'MALLEY: We're done.

8 MS. BLUE: All right. I have a little
9 bit of Redirect.

10 REDIRECT EXAMINATION

11 BY MS. BLUE:

12 Q Jeff, let's go to Exhibit 4, which is an
13 e-mail between you and -- well, no. I'm sorry,
14 between Ed Mueller and Jon Tatum. I think you
15 testified yesterday that Mr. Tatum is an
16 accountant and that he had been hired to assist
17 with some accounting matters for the
18 organization?

19 A Yes.

20 Q This e-mail at the -- at the top of it Jon
21 is answering Ed Mueller. And why don't you go
22 ahead and just read that into the record.

23 A The --

24 Q His --

25 A John's reply to Ed?

1 Q To Ed, yes.

11:12AM

2 A Jeff's store had nothing to do with the
3 nonprofit corporation. The nonprofit didn't even
4 exist for most of the time that Jeff had the
5 store. There may have been a short period that
6 Jeff was selling product while the nonprofit was
7 in existence, but I'm not sure what those dates
8 would have been. He operated the store as a sole
9 proprietor for tax purposes. I've never prepared
10 Jeff's tax returns; so I can't say how that was
11 handled. The attorney is correct with the
12 assumption below -- assumptions below; however,
13 the times is what you -- what would hold up in
14 court and with the IRS. Hope this helps. Let me
15 know if you have any other questions. I'm always
16 glad to help. Jon Tatum, Tatum and Associates,
17 Inc.

11:13AM

11:13AM

11:13AM

18 Q Now if we go down to Ed's post below and
19 just that first paragraph, would you read that
20 in.

11:14AM

21 A Hi, Jon. I had spoke to Ronny Awtry about
22 how Jeff ran his store, and he assured me that
23 both you and our attorney stated that Jeff's way
24 was preferable and that the IRS would have no
25 problem with it.

11:14AM

1 Q Okay. Jon is referring up here to -- he
2 says the nonprofit didn't even exist for most of
3 the time that Jeff had the store. Do you know
4 whether he's referring to the nonprofit status of
5 the corporation or the existence of the
6 corporation itself?

7 A I don't know.

8 Q Okay. That's fine. All right.

9 Now a little earlier this morning
10 Mr. O'Malley asked you about a group of invoices
11 that I think are Exhibit 11. And we also had
12 another single invoice that was -- does anybody
13 remember the exhibit number on that?

14 MR. O'MALLEY: 10 I believe.

15 Q (Ms. Blue) 10. And he asked you whether
16 or not you had ever requested reimbursement for
17 those invoices. We established yesterday that
18 you had never been reimbursed. Mr. O'Malley
19 asked you if you ever requested reimbursement.

20 A Are these the invoices for --

21 Q They're right here.

22 A Oh, okay. Well, the majority of these are
23 invoices for products.

24 Q Right. And I think you testified they
25 weren't the PGR's bills to pay.

1 A No. They had nothing to do with cost to
2 PGR.

11:15AM

3 Q Let me ask you this question.

4 A Now, I'm sorry, you want me to go on to the
5 other invoices?

11:16AM

6 Q No. 11 is a large group of invoices?

7 A Okay.

8 Q And 10 is a single invoice I think for
9 flags. Exhibit 10.

10 A Well, here's from the Trophy Case.

11:16AM

11 Q I understand. Maybe I'm not being clear.
12 This whole group of invoices and also Exhibit 10,
13 which is a single invoice for flags I believe --
14 got it down there. There you go. That's it.

15 A Yes.

11:16AM

16 Q Okay. Mr. O'Malley asked you whether or
17 not you had ever requested reimbursement from the
18 PGR for any of these invoices, and you testified
19 that you had not.

20 A No.

11:16AM

21 Q Did the PGR ever offer any reimbursement to
22 you for those invoices?

23 A No.

24 Q Did your fellow incorporators of the
25 corporation ever --

11:17AM

1 A No. 11:17AM
2 Q -- ask you -- or offer to reimburse you for
3 that?
4 A No.
5 Q We talked a little earlier this morning 11:17AM
6 about the trademark application, and you said
7 that John Jacobs helped you file your trademark
8 application?
9 A Yes.
10 Q The one that's in your name? 11:17AM
11 A Yes.
12 Q Did you rely on Mr. Jacob' assistance in --
13 A No.
14 Q Are you a trademark lawyer?
15 A No. 11:18AM
16 Q Have you ever filed any trademarks before?
17 A No.
18 Q Do you know whether Mr. Jacobs typically
19 filed trademark applications as part of his
20 practice? 11:18AM
21 A I don't know.
22 Q Okay. Did he -- he volunteered --
23 A Yes.
24 Q -- to prepare that application for you?
25 Okay. Go to Exhibit 9 -- oh, actually, I'm 11:18AM

11:18AM

1 sorry. It's not 9. Hang on a second. I'm
2 sorry, it's Exhibit 22. E-mail between you and
3 Jason if that helps.

11:20AM

4 A I found 21 and 23. I've got them all out
5 of order.

6 Q It may have been one you borrowed from me.
7 If you will look at this, it's the e-mail
8 exchange between you and Jason Wallin. Would you
9 read that statement from Jason up at the top?

11:20AM

10 A BTW, by the way, you now own
11 patriotguard.org domain name and I can host it
12 for you for free. Jason Wallin.

13 Q Jason uses the word you in that
14 communication. Is he referring to PGR, Inc. or
15 is he referring to Jeff Brown?

11:20AM

16 A Jeff Brown.

17 Q Is he communicating with anybody other than
18 you in that e-mail exchange?

19 A No.

20 Q Okay. Let's go to Exhibit 19, which is the
21 e-mail exchange between you and John Jacobs
22 regarding the eBay Yamaha --

11:20AM

23 A Okay.

24 Q -- V-star -- I'm not going to make Jim's
25 mistake and call it a bicycle -- motorcycle.

11:21AM

1 MR. O'MALLEY: I won't do that again.

11:21AM

2 Q (Ms. Blue) Had you authorized John to use
3 this kind of communication in the past? I'm
4 sorry, let me build that foundation a little bit
5 better.

11:22AM

6 John's forwarding to you what appears to be
7 a sample communication that he's used. And he
8 says, this is the message I used successfully on
9 several occasions.

10 Do you recall other occasions where John
11 had sent something similar to this?

11:22AM

12 A Not -- no, not specifically.

13 Q Okay. At this point had you given the
14 organization permission to use Patriot Guard
15 Riders or the logo on noncommercial -- for
16 noncommercial purposes?

11:22AM

17 A Yes.

18 Q If you were an uninformed individual, not
19 part of the membership, you saw goods with
20 Patriot Guard Riders on them, would you assume
21 that the organization had some affiliation with
22 those goods?

11:23AM

23 A Yes.

24 Q There was some sponsorship or authorization
25 given to put the name on those goods?

11:23AM

1 A Yes.

11:23AM

2 Q Is that why John is referencing both you
3 and the organization as a licensee in this
4 communication?

5 A Very possibly.

11:23AM

6 Q Okay. Jeff, do you remember when --
7 actually, let me go back.

8 After you resigned did PGR organization put
9 up a new store immediately to sell goods or was
10 it done some time after that?

11:24AM

11 A I think it was some time after that. I
12 don't know the exact time frame, but I think it
13 took a while.

14 Q Okay. Let's go to Exhibit 27 from our
15 friend Ugly Troll. It's a little hard to read
16 this post. It's all -- this communication is all
17 single spaced. But Jim asked you a few minutes
18 ago if you knew when Ugly Troll had joined the
19 organization.

11:24AM

20 A No.

11:25AM

21 Q And you said you did not know. But let's
22 go back up to the top of this communication. He
23 says, Jeff, well, things seem to be getting a bit
24 dicey lately. He talks about Massachusetts and
25 when he first signed up for the PGR. A state

11:25AM

1 captain that had had some difficulty. Then -- 11:25AM
2 and it's cut off a little bit, but I think
3 about -- let's see, one, two, three, four,
4 five -- six lines down I think we can assume that
5 says approximately -- a year ago the new state 11:26AM
6 captain informed me that he was the target of
7 some disgruntled individuals.

8 would it be reasonable to assume from this
9 communication that Ugly Troll had been a member
10 of the PGR for at least a year? 11:26AM

11 A Well, if this was sent on January --

12 Q A year before this was sent. I'm sorry.

13 A Yeah. So it would be reasonable to assume
14 he had been a member since at least January of
15 2007. 11:26AM

16 MR. O'MALLEY: Objection. The term
17 approximately doesn't support that.

18 Q (Ms. Blue) Let's go to Exhibit 29. This
19 is the e-mail between EBaker. I think you said
20 that was someone named Ed. 11:27AM

21 A Ed.

22 Q Mr. O'Malley was asking you about this
23 reference on page two of that communication
24 regarding a -- your permission to use some
25 particular patch logo. 11:27AM

1 A Yes.

11:27AM

2 Q And you said you did not really recall
3 that.

4 Were there ever instances where someone had
5 already produced something that you gave
6 particular instructions?

11:27AM

7 A There were a few occasions that I can
8 recall where someone had a patch or sticker or
9 something made up that I found out about after
10 the fact. And this may have been one of those
11 instances. I don't recall it.

11:28AM

12 Q What did you do once you'd found out about
13 it typically? If you remember.

14 A Typically what I would do is find out how
15 many they had made and what they were using them
16 for. And normally they were giving them away to
17 members in their location. But I would typically
18 tell them, okay, go ahead and -- and either get
19 rid of what you've got or sell what you've got,
20 but don't make any more. And that may be what Ed
21 is referring to. I don't know.

11:28AM

11:28AM

22 MS. BLUE: Okay. I think I'm finished.

23 MR. O'MALLEY: Do you want to talk for a
24 second?

25 MR. RICHART: Yes, please.

11:29AM

1 MR. O'MALLEY: Can we take a short
2 break?

11:29AM

3 *(Following a short recess at 11:29*
4 *a.m., proceedings continued on the Record at*
5 *11:39 a.m.)*

11:29AM

6 MR. O'MALLEY: Back on the record.
7 Okay. I have just a few more questions.

8 RECROSS-EXAMINATION

9 BY MR. O'MALLEY:

10 Q Going back to the issue of reimbursement.
11 Yesterday I believe you testified that -- and I
12 don't know the time frame specifically on this;
13 so I'll ask you to clarify on that as well. I
14 believe you stated that overall you had covered
15 costs for the PGR something to the effect of
16 about \$72,000.

11:39AM

17 A Yes.

18 Q Is that correct?

19 A Yes.

20 Q Can you tell me the time frame on that
21 because I'm not clear. I want to make sure I
22 understand that.

11:39AM

23 A Well, it would have been from its
24 inception.

25 Q By its do you mean the organization --

11:40AM

1 A Yeah.

11:40AM

2 Q -- or the corporation?

3 A No, from the -- from the very beginning.

4 From November 9th, 2005 -- or November 8th, 2005,
5 up until shortly after I resigned. I had covered
6 a couple things that I had previously committed
7 to take care of, and I think one or two donations
8 after I resigned.

11:40AM

9 Q Okay. Do you have an idea of the amount of
10 money of that 72,000 that you took care of prior
11 to your resignation? Was it --

11:40AM

12 A The vast majority of it.

13 Q The vast majority. Okay. That's fair.

14 Now you had stated that you paid these
15 costs or expenses for various things. And you
16 had testified that you were never reimbursed for
17 that; is that correct?

11:41AM

18 A Yes.

19 Q Did you ever request reimbursement from the
20 PGR from that?

11:41AM

21 MS. BLUE: That was asked and answered
22 yesterday.

23 Q (Mr. O'Malley) So did you consider those
24 to be donations to the PGR?

25 A Donations or costs. When I -- I mean I

11:41AM

1 have always stated that the store was to help
2 fund the PGR so that to me was my responsibility.
3 If the money wasn't in the corporate account,
4 then I covered it. So if it's covering costs or
5 donations or whatever.

11:41AM

11:42AM

6 Q okay.

7 MR. O'MALLEY: Okay. I think we're
8 done.

9 MS. BLUE: Okay. All right.

10 *(Whereupon, the deposition was*
11 *concluded at 11:42 a.m.)*

11:42AM

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SIGNATURE PAGE

I, JEFF BROWN, do hereby certify that the foregoing deposition was presented to me by Nichole M. Myers as a true and correct transcript of the proceedings in the above styled and numbered cause, and I now sign the same as true and correct.

April WITNESS my hand this 25 day of April, 2011.


JEFF BROWN

SUBSCRIBED AND SWORN TO before me this 25th day of April, 2011.


Notary Public

My Commission Expires:

11-25-2013



C E R T I F I C A T E

State of Oklahoma }
County of Tulsa } ss

I, Nichole M. Myers, a Certified
Shorthand Reporter within and for Tulsa County,
State of Oklahoma, do hereby certify that the
above named witness was by me first duly sworn to
testify the truth, the whole truth and nothing
but the truth in the case aforesaid, and that I
reported in stenograph his trial deposition; that
my stenograph notes were thereafter transcribed
and reduced to typewritten form under my
supervision, as the same appears herein.

I further certify that the foregoing
101 pages contain a full, true and correct
transcript of the trial deposition taken at such
time and place.

I further certify that I am not
attorney for or relative to either of said
parties, or otherwise interested in the event of
said action.

WITNESS MY HAND AND SEAL this 12th day
of April, 2011.

Nichole M. Myers

NICHOLE M. MYERS, RPR
CSR NO. 1704

Nichole Marie Myers
Oklahoma Certified Shorthand Reporter
Certificate No. 1704

Exp. Date: December 31, 2011

EXHIBIT 1



John Jacobs Jacobs <mnjjacobs@gmail.com>

Message from Twister on Patriot Guard Riders

3 messages

Sat, Feb 4, 2006 at 10:20 PM

jeffbrown@valornet.com <jeffbrown@valornet.com>
To: mnjjacobs@gmail.com

From: Twister Subject: PGR assistance ----- Johnny, What would you charge me to trademark (or whatever needs to be done) the name Patriot Guard Riders and our logo? Thanks, Jeff jeffbrown@valornet.com -----
Patriot Guard Riders <http://www.patriotguard.org>

Mon, Feb 6, 2006 at 10:07 AM

John Jacobs <mnjjacobs@gmail.com>
To: "jeffbrown@valornet.com" <jeffbrown@valornet.com>

Jeff -

I'd be happy to get the name/logo registered, no charge for my time. There are some government fees involved - \$750 to register for both nonprofit activities and for PGR store goods, possibly more if there are objections filed or to register both the words and the logo in both categories.

I have to get formal permission from my employer - mainly a formality, but I'm in-house, so I'm not in the business of taking clients.

It's probably easier to go through the process and some of the choices to be made by phone. My office number is 484-582-5604 - feel free to call or reply with a number and some times that are good to reach you.

John Jacobs
(Johnnysquire)

[Quoted text hidden]

Tue, Feb 7, 2006 at 1:45 AM

Jeff Brown <jeffbrown@valornet.com>
To: John Jacobs <mnjjacobs@gmail.com>

John,
You are a true gentleman...I have a meeting tomorrow with an accountant. I'll touch base later this week.
Thanks,
Jeff

[Quoted text hidden]



PGR 003093